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No. 51]— NEW DELHI, SATURDAY, DECEMBER 23, 1972/PAUSA 2, 1894

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह प्रलग संकलन के रूप में रखा जा सके
Separate paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संघ राज्य क्षेत्र प्रशासनों को छोड़कर)
केन्द्रीय प्राधिकारियों द्वारा जारी किये गये विधिक आदेश और अधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) by Central Authorities (other than the Administration of Union Territories)

ELECTION COMMISSION OF INDIA

New Delhi, the 23rd November, 1972

S.O. 4174.—In exercise of the powers conferred by sub-section (1) of Section 13-B of the representation of the People Act, 1950 (43 of 1950), and in supersession of its notification No. 429/LM/69, dated the 10th March, 1969, the Election Commission hereby designates, the Settlement Officer, Union Territory of Laccadive, Minicoy and Amindivi Islands, as the Electoral Registration Officer for the Laccadive, Minicoy and Amindivi Islands Parliamentary Constituency.

[No. 429/LMA/72]

भारत निर्वाचन आयोग

नई दिल्ली, 23 नवम्बर, 1972

क्रा. आ. 4174.—लोक प्रतिनिधित्व अधिनियम, 1950 की धारा 13-ख की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, और अपनी अधिसूचना संख्या 429/ल. मि./69, तारीख 10 मार्च, 1969 को अतिष्ठित करते हुए, निर्वाचन आयोग लक्कादिव, मिनीकोय और अमीनदीवी द्वीप संघराज्यक्षेत्र के सीटलमेंट ऑफिसर को लक्कादिव मिनीकोय और अमीनदीवी द्वीप संसदीय निर्वाचन क्षेत्र के लिए निर्वाचक रजिस्ट्रीकरण ऑफिसर के रूप में एतद् द्वारा पदभिहित करता है।

[सं. 429/ल. मि. अ./72]

(5685)

S.O. 4175.—In pursuance of the powers conferred by section 21 of the Representation of the People Act, 1951, and in partial modification of its notification No. 434/LM/66, dated the 31st May, 1966, the Election Commission hereby appoints the Settlement Officer of the Union Territory of Laccadive, Minicoy and Amindivi Islands as the Returning Officer for the Laccadive, Minicoy and Amindivi Islands Parliamentary Constituency.

[No. 434/LMA/72]

क्रा. आ. 4175.—लोक प्रतिनिधित्व अधिनियम, 1951 की धारा 21 द्वारा प्रदत्त शक्तियों के अनुसरण में, और अपनी अधिसूचना सं. 434/ल. मि./66, तारीख 31 मई, 1966 को आंशिक रूप से संशोधित करते हुए, निर्वाचन आयोग लक्कादिव, मिनीकोय और अमीनदीवी द्वीप संघराज्यक्षेत्र के सीटलमेंट ऑफिसर को लक्कादिव, मिनीकोय और अमीनदीवी द्वीप संसदीय निर्वाचन क्षेत्र के लिए रिटर्निंग ऑफिसर के रूप में एतद् द्वारा नियुक्त करता है।

[सं. 434/ल. मि. अ./72]

New Delhi the 28th November, 1972

ORDER

S.O. 4176.—WHEREAS the Election Commission is satisfied that Shri Shek Ambia, Village Chhoto Alunda, P.O. Bara Alunda, District Birbhum, West Bengal, a contesting candidate for election to the West Bengal Legislative Assembly from 274-Suri assembly constituency, held in March, 1971 has failed to lodge an account of his election expenses as required by the Representation of the People Act, 1951, and the Rules made thereunder;

AND WHEREAS, the said candidate, even after the due notices has not given any reason or explanation for the failure and the Election Commission is satisfied that he has no good reason or justification for such failure;

NOW, THEREFORE, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Shek Ambia to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. WB.LA/274/71(5)]

By Order,

A. N. SEN, Secretary.

दिनांक, 28 नवम्बर, 1972

आदेश

का. आ. 4176.—यतः निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1971 को हुए पश्चिमी बंगाल विधान सभा के लिए निर्वाचन के लिए 274 सूरीसभा निर्वाचन-क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री शेक अम्बिया, ग्राम छोटो अलुन्डा, पो. अ. बड़ा अलुन्डा, जिला बोरभूम, पश्चिमी बंगाल लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, उक्त उम्मीदवार ने, उसे सम्यक सूचना दिये जाने पर भी, अपनी इस असफलता के लिए कोई कारण अथवा स्पष्टीकरण नहीं दिया है, और, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री शेक अम्बिया को संसद के किसी भी सदन के या किसी राज्य की विधान-सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं. प. बं.वि. स./274/71(5)]

आदेश से,

ए. एन. सेन, सचिव ।

New Delhi, the 1st December, 1972

ORDER

S.O. 4177.—Whereas the Election Commission is satisfied that Shri Venkata Narsing Rao, House No. 3-4-523/1, Barkatpura, Hyderabad-27, a contesting candidate for general election to the Andhra Pradesh Legislative Assembly from 205. Musheerabad constituency held in March, 1972, has failed to lodge an account of his election expenses at all as required by the Representation of the People Act, 1951, and the Rules made thereunder;

And whereas the notices issued to Shri Venkata Narsing Rao have been received back undelivered as the whereabouts of the candidate are not known and the Election Commission is satisfied that he has no good reason or justification for the failure;

Now, therefore, in pursuance of section 10A of the said Act, the Election Commission hereby declares the said Shri Venkata Narsing Rao to be disqualified for being chosen as, and for being, a member of either House of Parliament or of the Legislative Assembly or Legislative Council of a State for a period of three years from the date of this order.

[No. AP-LA/205/72]

नई दिल्ली, 1 दिसम्बर, 1972

आदेश

का. आ. 4177.—यतः निर्वाचन आयोग का समाधान हो गया है कि मार्च, 1972 को हुए आंध्र प्रदेश विधान सभा के लिए निर्वाचन के लिए 205-मुशीराबाद निर्वाचन क्षेत्र से चुनाव लड़ने वाले उम्मीदवार श्री वेंकटरसिंग राय, मकान नं. 3-4-523/1, बरकतपुरा, हैदराबाद-27 लोक प्रतिनिधित्व अधिनियम, 1951 तथा तद्धीन बनाए गए नियमों द्वारा अपेक्षित अपने निर्वाचन व्ययों का कोई भी लेखा दाखिल करने में असफल रहे हैं ;

और, यतः, श्री वेंकटरसिंग राय को जो सूचनाएं जारी की गई थीं, वे अवितरित वापस आ गई हैं क्योंकि इस अभ्यर्थी के ठौर ठिकाने के बारे में कोई पता नहीं चल सका, निर्वाचन आयोग का यह भी समाधान हो गया है कि उसके पास इस असफलता के लिए कोई पर्याप्त कारण या न्यायोचित्य नहीं है ;

अतः अब, उक्त अधिनियम की धारा 10-क के अनुसरण में निर्वाचन आयोग एतद्वारा उक्त श्री वेंकटरसिंग राय को संसद के किसी भी सदन के या किसी राज्य की विधान सभा अथवा विधान परिषद् के सदस्य चुने जाने और होने के लिए इस आदेश की तारीख से तीन वर्ष की कालावधि के लिए निरहित घोषित करता है ।

[सं. आ. प्र.वि. स./205/72]

New Delhi, the 11th December, 1972

S.O. 4178.—In exercise of the powers conferred by sub-section (1) of section 22 of the Representation of the People Act, 1951 (43 of 1951), the Election Commission hereby directs that the following further amendments shall be made in its Notification No. 434/GJ/71, dated the 2nd December, 1971, namely :—

In column 2 of the Table appended to the said notification, against item '14-Sabarkantha' for the existing entry numbered 3, the entry "Project Officer (Senior, Small Farmers Development Agency, Sabarkantha District, Himatnagar" and for the existing entry numbered 4 the entry "District Supply Officer, Sabarkantha District, Himatnagar", shall respectively be substituted.

[No. 434/GJ/72]

By Order,

B. N. BHARDWAJ, Secy.

दिनांक, 11 दिसम्बर, 1972

का. आ. 4178.—लोक प्रतिनिधित्व अधिनियम, 1951 (1951 का 43) की धारा 22 की उप-धारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, निर्वाचन आयोग एतद्वारा निर्वंश देता है कि उसकी अधिसूचना सं. 434/गज./71, तारीख 2 दिसम्बर, 1971, में निम्नलिखित संशोधन और किए जाएंगे, अर्थात् :—

उक्त अधिसूचना से संलग्न सारणी के स्तम्भ 2 में, मद "14 साबरकांठा" के सामने, क्रमशः, विद्यमान प्रविष्टि संख्या 3 के स्थान पर, "परियोजना आफिसर (ज्येष्ठ), लघु कृषक विकास अभिकरण साबरकांठा जिला, हिममत्तनगर" प्रविष्टि, तथा विद्यमान, प्रविष्टि संख्या 4 के स्थान पर, "जिला पूर्ति आफिसर, साबरकांठा जिला हिममत्तनगर" प्रविष्टि प्रतिस्थापित की जाएंगी ।

[सं. 434/गज./72]

आदेश से,

बी. एन. भारद्वाज, सचिव ।

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 22nd November, 1972

S.O. 4179.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following rules to amend the Allotment of Hostel Accommodation (Ministry of External Affairs) Rules, 1970, namely:—

Short title and commencement:—These rules may be called the Allotment of Hostel Accommodation (Ministry of External Affairs) Amendment Rules, 1972.

2. They shall come into force on the date of publication in the Official Gazette.

3. In the Allotment of Hostel Accommodation (Ministry of External Affairs) Rules, 1970 the word 'Rent' wherever occurring in the said Rules shall be substituted by the words 'Licence fee'.

[No. Q/SE/8601/175/72]

S. P. CHAKRABORTY, Under Secy.

विदेश मंत्रालय

नई दिल्ली, 22 नवम्बर, 1972

का. आ. 4179.—राष्ट्रपति एतद्वारा, मूल नियमों के नियम 45 की व्यवस्था का अनुसरण करते हुए, होस्टल आवास (विदेश मंत्रालय) नियतन नियम, 1970 का संशोधन करने के लिए निम्नलिखित नियमों के निमण की घोषणा करते हैं:—

1. संक्षिप्त शीर्षक एवं आरम्भ:—इन नियमों को होस्टल आवास (विदेश मंत्रालय) नियतन संशोधन नियम, 1972 कहा जाएगा।

2. सरकारी राजपत्र में प्रकाशित होने की तारीख से यह नियम लागू हो जाएंगे।

3. होस्टल आवास (विदेश मंत्रालय) नियतन नियम 1970 के नियमों में जहाँ कहीं भी 'किराया' शब्द आया है, उसकी जगह 'लायसेन्स-शुल्क' शब्द रख दिया जाएगा।

[सं. क्यू (एस. ई.) 8601/175/72]

एस. पी. चक्रवर्ती, अवर सचिव।

MINISTRY OF FINANCE
(Department of Revenue & Insurance)

New Delhi, the 31st October, 1972

CORRIGENDUM
ESTATE DUTY

S.O. 4180.—In the Notification No. 20/F. No. 301/90/72-E.D. dated the 11th October, 1972 of the Central Government:—

- (i) In line 5, for "Appellate Assistant Controller, Bhubaneswar" read "Appellate Assistant Commissioner of Income-tax, Special Range, Cuttack";
- (ii) in line 6, for "Bhubaneswar" read "Cuttack";
- (iii) in lines 10 and 11, for "Appellate Assistant Commissioner, Bhubaneswar" read "Appellate Assistant Commissioner of Income-tax, Special Range, Cuttack".

[No. 28/F. No. 301/90/72-E.D.]

B. NIGAM, Under Secy.

वित्त मंत्रालय

(राजस्व और बीमा विभाग)

नई दिल्ली, 31 अक्टूबर, 1972

शुद्धि-पत्र

सम्पदा-शुल्क

का. आ. 4180.—केंद्रीय सरकार की अधिसूचना सं. 20/फा. सं. 301/90/72-सं. शू., तारीख 11 अक्टूबर, 1972 में:—

(1) पंक्ति 3 और 4 में 'सहायक आयुक्त (अपील), भुवनेश्वर' के स्थान पर 'आयकर सहायक आयुक्त (अपील), स्पेशल रेंज, कटक' पढ़ा जाएगा,

(2) पंक्ति 5 में "भुवनेश्वर" के स्थान पर 'कटक' पढ़ा जाएगा।

(3) पंक्ति 7 में 'सहायक आयुक्त (अपील) भुवनेश्वर' के स्थान पर "आयकर सहायक आयुक्त (अपील) स्पेशल रेंज, कटक" पढ़ा जाएगा।

[सं. 28/फा. सं. 301/90/72-सं. शू.]

भुवनेश्वर निगम, अवर सचिव।

New Delhi, the 8th December, 1972

S.O. 4181.—WHEREAS the Central Government considers it necessary to authorise the Deputy Director employed in connection with the emergency risks insurance work in the Ministry of Finance (Department of Revenue and Insurance) for certain purposes under the Emergency Risks (Goods) Insurance Act, 1962 (62 of 1962);

NOW, THEREFORE, in pursuance of sub-section (1) of section 11 of the said Act and of all other powers hereunto enabling, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Finance (Department of Company Affairs and Insurance) No. S.O. 2604, dated the 12th August, 1965, as amended by the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. 3649, dated the 17th November, 1966 namely:—

In the said notification, after the word "Director" the words "or Deputy Director" shall be inserted.

[F. No. 66(10-Ins. I/72-I)]

नई दिल्ली, 8 दिसम्बर, 1972

अतः, अब उक्त अधिनियम की धारा 11 की उपधारा (1) और और बीमा विभाग) में आपात जोखिम बीमा कार्य के सम्बंध में नियोजित उप-निदेशक को आपात जोखिम (माल) बीमा अधिनियम, 1962 (1962 का 62) के अधीन कतिपय प्रयोजनों के लिए प्राधिकृत करना आवश्यक समझती है;

अतः, अब उक्त अधिनियम की धारा 11 उपधारा (1) और इस निमित्त उसको समर्थ बनाने वाली सभी अन्य शक्तियाँ के अनुसरण में, केंद्रीय सरकार एतद्वारा निदेश देती है कि भारत सरकार के वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना सं. 3649, तारीख 17 नवम्बर, 1966 द्वारा यथा संशोधित भारत सरकार के वित्त मंत्रालय (कम्पनी कार्य और बीमा विभाग) की अधिसूचना सं. का.आ. 2604, तारीख 12 अगस्त, 1965 में निम्नलिखित संशोधन किया जाएगा, अर्थात्:—

उक्त अधिसूचना में, "निदेशक" शब्द के पश्चात् "या उप-निदेशक" शब्द अन्तःस्थापित किये जाएंगे।

[फा. सं. 66(10))—बीमा 1/72-1]

S.O. 4182.—WHEREAS the Central Government considers it necessary to authorise the Deputy Director employed in connection with the emergency risks insurance work in the Ministry of Finance (Department of Revenue and Insurance) for certain purposes under the Emergency Risks (Goods) Insurance Act, 1962 (62 of 1962);

NOW, THEREFORE, in pursuance of sub-section (1) of section 8 and sections 14 and 15 of the said Act and of all other powers hereunto enabling the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Finance (Department of Company Affairs and Insurance) No. S.O. 2602, dated the 12th August, 1965, as amended by the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. 3647, dated the 17th November, 1966, namely:—

In the said notification, after the word "Director", the words "or Deputy Director" shall be inserted.

[F. No. 66(10)-INS.I/72-II]

का. आ. 4182.—यतः केन्द्रीय सरकार, वित्त मंत्रालय (राजस्व और बीमा विभाग) में आपात जोखिम बीमा कार्य के सम्बंध में नियोजित उप-निर्देशक को आपात जोखिम (माल) बीमा अधिनियम, 1962 (1962 का 62) के अधीन कतिपय प्रयोजनों के लिए प्राधिकृत करना आवश्यक समझती है,

अतः, अब उक्त अधिनियम की धारा 8 की उपधारा (1) और धारा 14 और 15 और इस निमित्त उसको समर्थ बनाने वाली सभी अन्य शक्तियों के अनुसरण में, केन्द्रीय सरकार एतद्वारा निर्देश देती है कि भारत सरकार के वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना सं. 3647, तारीख 17 नवम्बर, 1966 द्वारा यथा संशोधित भारत सरकार के वित्त मंत्रालय (कम्पनी कार्य और बीमा विभाग) की अधिसूचना सं. का.आ. 2602, तारीख 12 अगस्त, 1965 में निम्नीलिखित संशोधन किया जाएगा, अर्थात्:—

उक्त अधिसूचना में, "निर्देशक" शब्द के पश्चात् "या उप-निर्देशक" शब्द अन्तःस्थापित किये जाएंगे।

[फा. सं. 66(10)-बीमा 1/72-2.]

S.O. 4183.—WHEREAS the Central Government considers it necessary to authorise the Deputy Director employed in connection with the emergency risks insurance work in the Ministry of Finance (Department of Revenue and Insurance) for certain purposes under the Emergency Risks (Factories) Insurance Act, 1962 (63 of 1962);

NOW, THEREFORE, in pursuance of sub-section (1) of section 8 of the said Act and of all other powers hereunto enabling, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Finance (Department of Company Affairs and Insurance) No. S.O. 2603, dated the 12th August, 1965, as amended by notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance) No. S.O. 3648, dated the 17th November, 1966, namely:—

In the said notification, after the word "Director", the words "or Deputy Director" shall be inserted.

[F. No. 66(10)-INS.I/72-III]

का. आ. 4183.—यतः केन्द्रीय सरकार, वित्त मंत्रालय (राजस्व और बीमा विभाग) में आपात जोखिम बीमा कार्य के सम्बंध में नियोजित उप-निर्देशक को आपात जोखिम (कारखाना) बीमा अधिनियम, 1962 (1962 का 63) के अधीन कतिपय प्रयोजनों के लिए प्राधिकृत करना आवश्यक समझती है,

अतः अब, उक्त अधिनियम की धारा 8 की उपधारा (1) और इस निमित्त उसको बनाने वाली सभी अन्य शक्तियों के अनुसरण में, केन्द्रीय सरकार एतद्वारा निर्देश देती है कि भारत सरकार के वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना सं. का.आ. 3648, तारीख 17 नवम्बर, 1966 द्वारा यथा संशोधित भारत सरकार के वित्त मंत्रालय (कम्पनी कार्य और बीमा विभाग) की अधिसूचना सं. का.आ. 2603, तारीख 12 अगस्त, 1965 में निम्नीलिखित संशोधन किया जाएगा, अर्थात्:—

उक्त अधिसूचना में, "निर्देशक" शब्द के पश्चात् "या उप-निर्देशक" शब्द अन्तःस्थापित किये जाएंगे।

[फा. सं. 66(10)-बीमा 1/72-3]

S.O. 4184.—WHEREAS the Central Government considers it necessary to authorise the Deputy Director employed in connection with the emergency risks insurance work in the Ministry of Finance (Department of Revenue and Insurance) for certain purposes under the Emergency Risks (Factories) Insurance Act, 1962 (63 of 1962);

NOW, THEREFORE, in pursuance of sub-section (1) of section 11 and sections 12 and 13 of the said Act and of all other powers hereunto enabling, the Central Government hereby directs that the following amendment shall be made in the notification of the Government of India in the Ministry of Finance (Department of Company Affairs and Insurance) No. S.O. 2601, dated the 12th August, 1965, as amended by the notification of the Government in the Ministry of Finance (Department of Revenue and Insurance) No. S.O. 1150, dated the 17th November, 1966, published at page 1246 of Part II-Section 3—Sub-section (ii) of the Gazette of India, dated the 8th April, 1967, namely:—

In the said notification, after the word "Director", the words "or Deputy Director" shall be inserted.

[F. No. 66(10)-INS.I/72-IV]

B. N. BAGCHI, Under Secy.

का. आ. 4184.—यतः केन्द्रीय सरकार, वित्त मंत्रालय (राजस्व और बीमा विभाग) में आपात जोखिम बीमा कार्य के सम्बंध में नियोजित उप-निर्देशक को आपात जोखिम (कारखाना) बीमा अधिनियम, 1962 (1962 का 63) के अधीन कतिपय प्रयोजनों के लिए प्राधिकृत करना आवश्यक समझती है,

अतः, अब उक्त अधिनियम की धारा 11 की उपधारा (1) और धारा 12 और 13 और इस निमित्त उसको समर्थ बनाने वाली सभी अन्य शक्तियों के अनुसरण में, केन्द्रीय सरकार एतद्वारा निर्देश देती है कि भारत के राजपत्र, भाग 2, खण्ड 3, उपखण्ड (2), तारीख 8 अप्रैल, 1967 के पृष्ठ 1246 पर प्रकाशित भारत सरकार के वित्त मंत्रालय (राजस्व और बीमा विभाग) की अधिसूचना सं. का.आ. 1150, तारीख 17 नवम्बर, 1966 द्वारा यथा संशोधित भारत सरकार के वित्त मंत्रालय (कम्पनी कार्य और बीमा विभाग) की अधिसूचना सं. का.आ. 2601, तारीख 12 अगस्त, 1965 में निम्नीलिखित संशोधन किया जाएगा, अर्थात्:—

उक्त अधिसूचना में, "निर्देशक" शब्द के पश्चात् "या उप-निर्देशक" शब्द अन्तःस्थापित किये जाएंगे।

[फा. सं. 66(10)-बीमा 1/72-4]

बी. एन. बागची, अवर सचिव।

New Delhi, the 23rd December, 1972

CORRIGENDA

S.O. 4185.—In the notification of the Government of India in the Ministry of Finance (Department of Revenue and Insurance), No. S.O. 2594, dated the 17th June, 1972, published at pages 3632 to 3635 of Part II, Section 3, Sub-section (ii) of the Gazette of India, dated the 23rd September, 1972,—

(1) at page 3632, in the Preamble,—

(a) in line 1, for “rule 2”, read “rule 24”;

(b) in line 2, for “of e”, read “of the”;

(2) at page 3633,—

(a) in line 1, for “Departments”, read “Department”;

(b) in line 2, for “substitued”, read “substituted”;

(c) in the first Table, in column 2, for “Assistant Collector Headquarters”, read “Assistant Collector (Headquarters)”;

(d) in second Table,—

(i) in column 1, for “11 other posts”, read “All other posts”;

(ii) read the entry “Where there is no Assistant Collector (Headquarters), Collector of Central Excise” as appearing in column 2;

(3) at page 3634, in the direction above the last Table, for “(e)”, read “(c)”.

[F. No. C. 11016/21/71-Ad. V]

T. DUTT, Under Secy.

(Department of Banking)

New Delhi, the 27th November, 1972

S.O. 4186.—In exercise of the powers conferred by section 53 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares—

(a) that the provisions of sub-clauses (i) and (ii) of clause (c) of sub-section (1) of section 10 and sub-sections (2) and (4) of section 10B of the said Act shall not apply, till the 30th June 1973 to the Andhra Bank Ltd., Hyderabad, in so far as the said provisions prohibit the said bank from being

managed by its Chairman (Chief Executive Officer) by reason of his being a director of the Agricultural Finance Corporation Ltd., a company registered under the Companies Act, 1956 (1 of 1956); and

(b) that the provisions of sub-section (3) of section 19 of the said Banking Regulation Act, 1949 shall not apply, till the 30th June 1973, to the Andhra Bank Ltd., Hyderabad, in so far as the said provisions prohibit the said bank from holding shares in the said Agricultural Finance Corporation Ltd.

[No. F. 13/10/72-AC]

L. D. KATARIA, Dy. Secy.

(बैंकिंग विभाग)

नयी दिल्ली, 27 नवम्बर, 1972

का. आ. 4186.—बैंकिंग विनियमन अधिनियम, 1949 (1949 का 10 वां) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार भारतीय रिजर्व बैंक की सिफारिश पर एतद्द्वारा घोषित करती है कि—

(क) उक्त अधिनियम की धारा 10 की उप-धारा (1) के खण्ड (ग) के उपखण्ड (1) और (2) और धारा 10 ख की उप-धारा (2) और (4) के उपबन्ध आन्ध्र बैंक लिमिटेड हैदराबाद पर 30 जून, 1973 तक लागू नहीं होंगे जहाँ तक उक्त उपबन्धों का संबंध, कम्पनी अधिनियम, 1956 (1956) का 1) के अन्तर्गत पंजीकृत कम्पनी कृषि वित्त निगम लिमिटेड का निदेशक होने के कारण इसके अध्यक्ष (मुख्य कार्यकारी अधिकारी) द्वारा उक्त बैंक का प्रबन्ध किये जाने से वर्जित करना है, और

(ख) उक्त बैंकिंग विनियमन अधिनियम, 1949 की धारा 19 की उप-धारा (3) के उपबन्ध 30 जून, 1973 तक आन्ध्र बैंक लिमिटेड, हैदराबाद पर लागू नहीं होंगे जहाँ तक उक्त उपबन्धों का संबंध उक्त बैंक को उक्त कृषि वित्त निगम लिमिटेड के शेयर रखने से मना करना है।

[सं. एफ. 13/10/72-र. सी.]

एल. डी. कटारिया, उप-सचिव।

RESERVE BANK OF INDIA

New Delhi, 12th December 1972

S.O. 4187.—An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 1st day of December 1972.

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	32,28,83,000		Gold Coin and Bullion:—		
Notes in circulation	4683,86,70,000		(a) Held in India	182,53,11,000	
Total Notes issued		4716,15,53,000	(b) Held outside India	176,65,38,000	
			Foreign Securities		
			Total		359,18,49,000
			Rupees Coin		22,64,91,000
			Government of India Rupee Securities		4334,32,13,000
			Internal Bills of Exchange and other commercial paper
Total Liabilities		4716,15,53,000	Total Assets		4716,15,53,000

Dated the 6th day of December 1972.

S. JAGANNATHAN, Governor.

Statement of the Affairs of the Reserve Bank of India, Banking Department as on the 1st December, 1972.

LIABILITIES	Rs.	ASSETS	Rs.
Capital Paid Up	5,00,00,000	Notes	32,28,83,000
Reserve Fund	150,00,00,000	Rupee Coin	6,38,000
National Agricultural Credit (Long Term Operations) Fund	209,00,00,000	Small Coin	3,06,000
National Agricultural Credit (Stabilisation) Fund	45,00,00,000	Bills Purchased and Discounted:—	
National Industrial Credit (Long Term Operations) Fund	175,00,00,000	(a) Internal	99,29,000
Deposits:—		(b) External
(a) Government		(c) Government Treasury Bills	364,68,34,000
(i) Central Government	55,54,79,000	Balances Held Abroad*	146,55,94,000
(ii) State Governments	32,31,52,000	Investments†	367,27,01,000
(b) Banks		Loans and Advances to:—	
(i) Scheduled Commercial Banks	281,30,98,000	(i) Central Government
(ii) Scheduled State Co-operative Banks	10,69,35,000	(ii) State Governments@	36,44,00,000
(iii) Non-Scheduled State Co-operative Banks	1,06,02,000	Loans and Advances to:—	
(iv) Other Banks	48,36,000	(i) Scheduled Commercial Banks†	13,24,70,000
(c) Others	80,35,33,000	(ii) State Co-operative Banks‡	237,84,53,000
Bills Payable	75,12,43,000	(iii) Others	4,45,22,000
Other Liabilities	343,02,25,000	Loans, Advances and Investments from National Agricultural Credit (Long Term Operations) Fund	
		(a) Loans and Advances to:—	
		(i) State Governments	53,63,21,000
		(ii) State Co-operative Banks	21,16,35,000
		(iii) Central Land Mortgage Banks
		(iv) Agricultural Refinance Corporation	10,00,00,000
		(b) Investment in Central Land Mortgage Bank Debentures	
		Loans and Advances from National Agricultural Credit (Stabilisation) Fund	11,25,27,000
		Loans and Advances to State Co-operative Banks	29,01,55,000
		Loans, Advances and Investments from National Industrial Credit (Long Term Operations) Fund	
		(a) Loans and Advances to the Development Bank	93,06,94,000
		(b) Investment in bonds/debentures issued by the Development Bank
		Other Assets	41,90,41,000
	Rupees 1463,91,03,000		Rupees 1463,91,03,000

*Includes Cash, Fixed Deposits and Short-term Securities.

**Excluding Investments from the National Agricultural Credit (Long Term Operations) Fund and the National Industrial Credit (Long Term Operations) Fund.

@Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund.

†Includes Rs. 3,00,00,000 advanced to scheduled commercial banks against usance bills under Section 17(4) (c) of the Reserve Bank of India Act.

‡Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 6th day of December 1972

S. JAGANNATHAN, Governor
[No. F. 1 (3)/72—BOI]
C. W. MIRCHANDANI, Under Secy.

रिजर्व बैंक ऑफ इंडिया

का0प्रा0 4187:- रिजर्व बैंक ऑफ इंडिया अधिनियम, 1934 के अनुसरण में दिसम्बर 1972 की। तारीख को समाप्त हुए सप्ताह के लिए लिखा
(दशू विभाग)

नई दिल्ली, 12 दिसम्बर, 1972

वेयताएं	रुपये	रुपये	भास्तियां	रुपये	रुपये
बैंकिंग विभाग में रखे हुए नोट	32,28,83,000		मोने का सिक्का और बुलियन:-		
संचालन में नोट	4683,86,70,000		(क) भारत में रखा हुआ	182,53,11,000	
			(ख) भारत के बाहर रखा हुआ	..	
जारी किये गये कुल नोट		4716,15,53,000	विदेशी प्रतिभूतियां	176,65,38,000	
			जोड़		359,18,49,0000
			रुपये का सिक्का		22,64,91,000
			भारत सरकार की रुपया प्रतिभूतियां		4334,32,13,000
			वैशी विनिमय बिल और दूसरे वाणिज्यपत्र		..
कुल वेयताएं		4716,15,53,000	कुल भास्तियां		4716,15,53,000

1 दिसम्बर 1972 को रिजर्व बैंक ऑफ इंडिया के बैंकिंग विभाग के कार्यकलाप का विवरण

वेयताएं	रुपये	भास्तियां	रुपये
चुकता पूंजी	5,00,00,000	नोट	32,28,83,000
आरक्षित निधि	150,00,00,000	रुपये का सिक्का	6,38,000
राष्ट्रीय कृषि ऋण		छोटा सिक्का	3,06,000
(दीर्घकालीन क्रियाएं) निधि	209,00,00,000	खरीदे और भुनाये गये बिल	
राष्ट्रीय कृषि ऋण		(क) वैशी	99,29,000
(स्थिरीकरण) निधि	45,00,00,000	(ख) विदेशी	..
राष्ट्रीय औद्योगिक ऋण		(ग) सरकारी खजाना बिल	364,68,34,000
(दीर्घकालीन क्रियाएं) निधि	175,00,00,000	विदेशों में रखा हुआ धनकाया*	146,55,94,000
जमा राशियां:-		निवेद**	367,27,01,000
(क) सरकारी		ऋण और अधिम:-	
(i) केन्द्रीय सरकार	55,54,79,000	(i) केन्द्रीय सरकार की	..
(ii) राज्य सरकारें	32,31,52,000	(ii) राज्य सरकारों की@	36,44,00,000
(ख) बैंक		ऋण और अधिम	
(i) अनुसूचित वाणिज्य बैंक	281,30,98,000	(i) अनुसूचित वाणिज्य बैंकों को†	13,24,70,000
(ii) अनुसूचित राज्य सहकारी बैंक	10,69,35,000	(ii) राज्य सहकारी बैंकों की‡	237,84,53,000
(iii) गैर अनुसूचित राज्य सहकारी बैंक	1,06,02,000	(iii) दूसरों को	4,45,22,000
(iv) अन्य बैंक	48,36,000	राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से ऋण, अधिम और निवेश	
(ग) अन्य	80,35,33,000	(क) ऋण और अधिम:-	
देय बिल	75,12,43,000	(i) राज्य सरकारी को	53,63,21,000
		(ii) राज्य सहकारी बैंकों को	21,16,35,000
		(iii) केन्द्रीय भूमिबन्धक बैंकों को	..
		(iv) कृषि पुनर्वित्त निगम को	10,00,00,000
		(ख) केन्द्रीय भूमिबन्धक बैंकों के डिपॉजिटों में निवेश	11,25,27,000
		राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से ऋण और अधिम	
		राज्य सहकारी बैंकों की ऋण और अधिम	29,01,55,000
		राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि	
		ऋण अधिम और से निवेश	
अन्य देयताएं	343,02,25,000	(क) विकास बैंक को ऋण और अधिम	93,06,94,000
		(ख) विकास बैंक द्वारा जारी किये गये बांडों/डिपॉजिटों में निवेश	..
		अन्य भास्तियां	41,90,41,000
रुपये	1463,91,03,000	रुपये	1463,91,03,000

*नकदी आवधिक जमा और अल्पकालीन प्रतिभूतियां शामिल हैं।

**राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय औद्योगिक ऋण (दीर्घकालीन क्रियाएं) निधि में से किये गये निवेश शामिल नहीं हैं।

@राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि से प्रदत्त ऋण और अधिम शामिल नहीं हैं।

†रिजर्व बैंक ऑफ इंडिया अधिनियम की धारा 17(4) (ग) के अधीन अनुसूचित वाणिज्य बैंकों को सीयादी बिलों पर अधिम दिये गये 3,00,00,000 रुपये शामिल हैं।

‡राष्ट्रीय कृषि ऋण (दीर्घकालीन क्रियाएं) निधि और राष्ट्रीय कृषि ऋण (स्थिरीकरण) निधि से प्रदत्त ऋण और अधिम शामिल नहीं हैं।

तारीख : 6 दिसम्बर 1972

एस० जगन्नाथन, गवर्नर

[स० 1/3/72-बी० प्रो०-1]

ब० व० मीरबहादी, धरम सचिव

New Delhi, the 4th December, 1972

S.O. 4188.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. N. Adarkar as the Managing Director of Central Bank of India for the period commencing on 11th December, 1972 and ending with 20th January, 1974.

[No. F. 9-4/32/72-BOI (Vol. III)-1]

नई दिल्ली, 4 दिसम्बर, 1972

का. आ. 4188.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री बी. एन. अदार्कर को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 20 जनवरी, 1974 को समाप्त होने वाली अवधि के लिए सेंट्रल बैंक आफ इंडिया का प्रबन्ध निदेशक नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी. ओ. 1 (जिल्द 3)-1]

S.O. 4189.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government after consultation with the Reserve Bank of India, hereby appoints Shri B. N. Adarkar, who has been appointed as Managing Director of Central Bank of India with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Central Bank of India with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का. आ. 4189.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री बी. एन. अदार्कर को, जो 11 दिसम्बर, 1972 से सेंट्रल बैंक आफ इंडिया का प्रबन्ध निदेशक नियुक्त किया गया है, उसी सारीख से सेंट्रल बैंक आफ इंडिया के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्द-3)-1]

S.O. 4190.—WHEREAS a Board of Directors of Central Bank of India, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme; 1970.

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Central Bank of India with effect from 11th December, 1972 and appoints:—

- (a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and
- (b) the persons specified in Table B below as the Director of the said Bank.

TABLE-A

(1)	(2)
1. <i>Shri B.N. Adarkar, Managing Director</i> —in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 20th January, 1974.
<i>Directors</i>	
2. <i>Shri Tarakeshwar Chakraborty, Special Assistant, Central Bank of India, Netaji Subhash Road, Calcutta</i> , representing the employees of the said Bank who are workmen in pursuance of sub-clause (b) (i) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1975.
3. <i>Shri R.R. Kumar, Divisional Manager, Central Bank of India, Kanpur</i> , representing the employees of the said Bank who are not workmen in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973
4. <i>Shri A.H. Elias, Hyderabad</i> , representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	-do-
5. <i>Shri Ramsiya Kunder, Rewa, (Madhya Pradesh State)</i> , representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	-do-
6. <i>Shri G.B. Newalkar, Chairman Maharashtra Small Scale Industries Development Corporation Ltd., Bombay.</i>	in pursuance of sub-clause (f) of clause 3.
7. <i>Shri Romesh Thapar, Journalist, New Delhi.</i>	
8. <i>Shri T.S. Papola, Reader in Industrial Economics, University of Bombay, Bombay.</i>	

TABLE-B

1. *Shri C.S. Venkat Rao, General Manager, Industrial Development Bank of India, Bombay*—in pursuance of sub-clause (g) of clause 3.
2. *Shri V.M. Bhide, Additional Secretary, Department of Banking, Ministry of Finance, New Delhi*—in pursuance of sub-clause (h) of clause 3.

[No. F. 9-4/32/72/BOI (Vol. III)-1]

का. आ. 4190.—यतः, राष्ट्रीयकृत बैंक, सेंट्रल बैंक आफ इंडिया का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाना है।

अतः, अतः, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, सेंट्रल बैंक आफ इंडिया का निदेशक बोर्ड एतद्वारा गठित करती है और —

(क) नीचे की सारणी के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तम्भ (2) में की नत्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबन्ध निदेशक या निदेशक ; और

(ख) नीचे की सारणी में ख में विनिर्दिष्ट को उक्त बैंक के निदेशक ; नियुक्त करती है।

सारणी-क

1	2
1. श्री बी० एन० अदारकर, प्रबन्ध निदेशक। खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 20 जनवरी, 1974 को समाप्त होने वाली अवधि के लिए।
निदेशक	
2. श्री तारकेश्वर चक्रवर्ती, विशेष महा-यक, सेन्ट्रल बैंक आफ इंडिया, नेनाजी सुभाष रोड, कलकत्ता, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख) (i) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए।
3. श्री आर० आर० कुमार, मण्डल-प्रबन्धक, सेन्ट्रल बैंक आफ इंडिया, कानपुर जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
4. श्री ए० एच० इलियास, हैदराबाद, जो उक्त बैंक के निक्षेपकर्ताओं के हितों का प्रतिनिधित्व करेगा—(घ) खण्ड 3 के उपखण्ड के अनुसरण में।	—यथोक्त—
5. श्री राममिया कुन्दर, रीवा (मध्य प्रदेश राज्य), जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—
6. श्री जी० बी० नेवाकर, अध्यक्ष, महा राष्ट्र लघु उद्योग विकास निगम लिमिटेड, मुम्बई। खण्ड 3 के उपखण्ड (च) के अनुसरण में।	—यथोक्त—
7. श्री रमेश थापर, पत्रकार, नई दिल्ली खण्ड 3 के उपखण्ड (च) के अनुसरण में।	
8. श्री टी० एस० पपोला, उपाचार्य, औद्योगिक अर्थशास्त्र मुम्बई विश्व-विद्यालय मुम्बई। खण्ड 3 के उपखण्ड (च) के अनुसरण में।	

सारणी-ख

1. श्री सी० एस० वेंकटराव, महा प्रबन्धक भारतीय औद्योगिक विकास बैंक मुम्बई। खण्ड 3 के उपखण्ड (७) के अनुसरण में।
2. श्री बी० एम० भिडे, अपर सचिव, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली। खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं० फा० 9-4/32/72 बी० ओ० 1 (जिल्द-3)-4]

S.O. 4191.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8. of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri J. N. Saxena as the Managing Director of Bank of India for the period commencing on 11th December, 1972 and ending with 30th September, 1973.

[No. F. 9-4/32/72-BOI (Vol. III)-1]

का. आ. 4191.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् एतद्वारा श्री जे. एन. सक्सेना को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 30 सितम्बर, 1973 को समाप्त होने वाली अवधि के लिए बैंक आफ इंडिया का प्रबन्ध निदेशक नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी. ओ. 1 (जिल्द-3)-1]

S.O. 4192.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri J. N. Saxena, who has been appointed as Managing Director of Bank of India with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Bank of India with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का. आ. 4192.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री जे. एन. सक्सेना को, जो 11 दिसम्बर, 1972 से बैंक आफ इंडिया का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से बैंक आफ इंडिया के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी. ओ. 1 (जिल्द-3)-3]

S.O. 4193.—Whereas, a Board of Directors of Bank of India, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

Now, therefore, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Bank of India with effect from 11th December, 1972 and appoints :—

- (a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and
- (b) the persons specified in Table B below as the Directors of the said Bank.

TABLE A

(1)	(2)
1. Shri J. N. Saxena, Managing Director, in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 30th September, 1973.
Directors	
2. Shri V. M. Chitnis, Special Assistant, Bank of India, Mahatma Gandhi Road, Bombay, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b) (i) of Clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1975.
3. Shri A.R. Sule, Officer, Head Office, Bank of India, Bombay, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Shri G. D. Parikh, Bombay, representing the interests of depositors of the said Bank in pursuance of sub-clause (d) of clause 3.	Do.
5. Brig. K.K. Verma, Raipur Madhya Pradesh, representing the interests of farmers—in pursuance of Sub-clause (e) of clause 3.	Do.
6. Shri Rahmatullah Ansari, Varanasi, representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	Do.
7. Shri Manohar Singh Mehta, Indore.—in pursuance of sub-clause (f) of clause 3.	Do.
8. Shri Sukru Bhagat, Oraon Toli, District Ranchi (Bihar State).—in pursuance of Sub-clause (f) of clause 3.	
9. Shri B. L. Passi, New Delhi.—in pursuance of sub-clause (f) of clause 3.	

TABLE B

1. Shri P. N. Khanna, Joint Chief Officer, Department of Banking Operations and Development, Reserve Bank of India, Central Office, Bombay—in pursuance of sub-clause (g) of clause 3.
2. Shri M.K. Venkatachalam, Joint Secretary, Department of Banking, Ministry of Finance, New Delhi, in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72-BOI (Vol.III)—4]

कां० प्रा० 4193.—यन, राष्ट्रीयकृत बैंक, बैंक आफ इंडिया का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाना है।

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 में, बैंक आफ इंडिया का निदेशक बोर्ड एतद्वारा करती है और—

- (क) नीचे की सारणी के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तम्भ (2) में की तत्प्राप्ति प्राप्ति में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, परामर्शित, प्रबन्ध निदेशक या निदेशक; और
- (ख) नीचे की सारणी ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक; नियुक्त करती है।

सारणी-क

1	2
1. श्री जे० एन० मेक्सम, प्रबन्धनिदेशक खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 30 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
निदेशक	
2. श्री वी० एम० चिटनीस, विशेष सहायक, बैंक आफ इंडिया, महात्मा गांधी रोड, मुम्बई, जो उक्त बैंक के उन कर्मचारियों का जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख) (i) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए।
3. श्री ए० आर० सुले, अधिकारी, प्रधान कार्यालय, बैंक आफ इंडिया, मुम्बई, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर 1972 को प्रारम्भ होने वाली और 10 दिसम्बर 1973 को समाप्त होने वाली अवधि के लिए।
4. श्री जी० डी० पारिख, मुम्बई, जो उक्त बैंक के निक्षेपकर्ताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (घ) के अनुसरण में।	—यथोक्त—
5. ब्रिगेडियर के० के० वर्मा, रायपुर (मध्य प्रदेश) जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—
6. श्री रहमतुल्ला अन्सारी, वाराणसी, जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ड) के अनुसरण में।	—यथोक्त—
7. श्री मनोहर सिंह मेहता, इंदौर, खण्ड 3 के उपखण्ड (च) के अनुसरण में।	—यथोक्त—
8. श्री सुक्रु भगत, उराव टोली, जिला राँची (बिहार राज्य) खण्ड 3 के उपखण्ड (ख) के अनुसरण में।	
9. श्री बी०एस० पासि, नई दिल्ली खण्ड 3 के उपखण्ड (क) के अनुसरण में।	

सारणी-ख

1. श्री पी० एन० खन्ना, संयुक्त मुख्य-प्रधिकारी, बैंककारी क्रिया और विकास विभाग, भारतीय रिजर्व बैंक कार्यालय, मुम्बई। खण्ड 3 के उपखण्ड (ख) के अनुसरण में।
2. श्री एम० के० वेकटचलम, संयुक्त सचिव, बैंक विभाग, वित्त मंत्रालय, नई दिल्ली। खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं० फा० 9-4/32/72-बो० प्रा० 1 (जिल्ह 3-4)

S.O. 4194.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri P. L. Tandon as the Managing Director of Punjab National Bank for the period commencing on 11th December, 1972 and ending with 31st July, 1975.

[No. F. 9-4/32/72/BOI (Vol. III)-1]

का. आ. 4194.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री पी. एल. टण्डन को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 जुलाई, 1975 को समाप्त होने वाली अवधि के लिए पंजाब नेशनल बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-1]

S.O. 4195.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri P. L. Tandon, who has been appointed as Managing Director of Punjab National Bank with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Punjab National Bank with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का. आ. 4195.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, श्री पी. एल. टण्डन को, जो 11 दिसम्बर, 1972 से पंजाब नेशनल बैंक का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से पंजाब नेशनल बैंक के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-3.]

S.O. 4196.—Whereas a Board of Directors of Punjab National Bank, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

Now, therefore, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Punjab National Bank with effect from 11th December, 1972 and appoints :-

(a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and

(b) the persons specified in Table B below as the Directors of the said Bank.

TABLE A

(1)	(2)
1. Shri P. L. Tandon, Managing Director, in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 31st July, 1975.
Directors	
2. Shri D. P. Chadha, Special Assistant, Punjab National Bank, Fort, Bombay, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b)(i) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1975.
3. Shri I. S. Ahluwalia, Staff Officer, Punjab National Bank, New Delhi, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Dr. A. S. Kahlon, Dean, College of Basic Sciences and Humanities, Punjab Agricultural University, Ludhiana, representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	Do.
5. Shri Madan Mohan Mahajan, Panipat (Haryana State), representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	Do.
6. Shri Mohamad Abdullah, Asia Crafts, Srinagar,—in pursuance of sub-clause (f) of clause 3.	Do.
7. Shri V. N. Kak, Managing Director, State Hotels Corp., 'Vasundhara', Jaipur, in pursuance of sub-clause (f) of clause 3.	
8. Shri B. M. Gogte, Chairman, Gogte Brihan Maharashtra Steels Ltd., Poona, in pursuance of sub-clause (f) of clause 3.	

TABLE B

1. Shri V.M. Jakhlade, Economic Adviser to the Deputy Governor in-charge of the Agricultural Credit Department, Reserve Bank of India, Bombay—in pursuance of sub-clause (g) of clause 3.

2. Shri A.K. Dutt, Joint Secretary, Department of Banking, Ministry of Finance, New Delhi—in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72—B.O.I. (Vol. III)-4]

का. आ. 4196.—यत् राष्ट्रीय बैंक, पंजाब नेशनल बैंक का निदेशक बोर्ड राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाता है;

अतः, अद्य, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, पंजाब नेशनल बैंक का निदेशक बोर्ड एतद्वारा पठित करती है और —

(क) नीचे की शर्तों के सम्म (1) में विनिर्दिष्ट व्यक्तियों का, उक्त शर्तों के सम्म (2) में की गयीयों प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, पद्यास्थिति, प्रबन्ध निदेशक या निदेशक, और

(ख) नीचे की शर्तों में विनिर्दिष्ट व्यक्तियों का उक्त बैंक के निदेशक; नियुक्त करती है।

सारणी-क

1	2
1. श्री पी० एन० टण्डन, प्रबन्ध निदेशक। खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 जुलाई 1975 को समाप्त होने वाली अवधि के लिए।
निदेशक	
2. श्री डी० पी० चड्ढा, विशेष सहायक, पंजाब नेशनल बैंक, फोर्ट, मुम्बई, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख) (i) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए।
3. श्री आई० एस० अहलुवालिया, स्टाफ अधिकारी, पंजाब नेशनल बैंक, नई दिल्ली, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
4. डा० ए० एस० काहलान, शाखा-ध्यक्ष, कापेज आफ बेसिक साइन्सेज एण्ड ह्यूमेनिटीज, पंजाब कृषि विश्वविद्यालय, लुधियाना, जो उक्त बैंक के निक्षेपकर्तृताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (घ) के अनुसरण में।	—यथोक्त—
5. श्री मदन मोहन महाजन, पानीपत (हरियाणा राज्य), जो शिल्पियों के हितों का प्रतिनिधित्व करेगा खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—
6. श्री मुहम्मद अब्दुल्ला, एशिया फाउण्डेशन नगर खण्ड 3 के उपखण्ड (च) के अनुसरण में।	—यथोक्त—
7. श्री बी० एन० काक, प्रबन्ध निदेशक, राज्य होटल निगम, वसुंधरा जयपुर खंड 3 के उपखंड (च) के अनुसरण में।	
8. श्री बी० एम० गोगटे, अध्यक्ष, गोगटे ब्रिह्म महराष्ट्र स्टील लिमिटेड, पुना। खंड 3 के उपखंड (च) के अनुसरण में।	

सारणी-ख

- श्री बी० एम० जगदे, कृषि साख्य विभाग, के भार साधक उप गवर्नर का अधिक सहायक, भारतीय रिजर्व बैंक, मुम्बई, खण्ड 3 के उपखण्ड (छ) के अनुसरण में।
- श्री ए० के० दत्त, संयुक्त सचिव, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली, खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं० फा० 9-4/32/72-1 बी० ओ० 1 (जिल्द 3)-4]

S.O. 4197.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri V. D. Thakkar as the Managing Director of Bank of Baroda for the period commencing on 11th December, 1972 and ending with 31st December, 1974.

[No. F. 9-4/32-72/BOI (Vol. III)-1]

का आ. 4197.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपखण्ड) स्कीम, 1972 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री वी. डी. ठक्कर को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए बैंक आफ बड़ौदा का प्रबन्ध निदेशक नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-1]

S.O. 4198.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provision) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri V. D. Thakkar who has been appointed as Managing Director of Bank of Baroda with effect from 11th December, 1972, to be Chairman of the Board of Directors of Bank of Baroda with effect from the same date.

[No. F. 9-4/32/72-B.O.I. (Vol. III)-3]

का आ. 4198.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपखण्ड) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, श्री वी. डी. ठक्कर को, जो 11 दिसम्बर, 1972 से बैंक आफ बड़ौदा का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से बैंक आफ बड़ौदा के निवेशक-मार्ग का अध्यक्ष एतद्वारा नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-3]

S.O. 4199.—Whereas a Board of Directors of Bank of Baroda, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

Now, therefore, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Bank of Baroda with effect from 11th December, 1972 and appoints:—

(a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and

(b) the persons specified in Table B below as the Directors of the said Bank.

TABLE A

(1)	(2)
1. Shri V.D. Thakkar, Managing Director—in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 31st December, 1974.
Directors	
2. Shri Jitendra Kumar Narainbhai Patel, Clerk, Gandhi Road Branch, Bank of Baroda, Ahmedabad, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b)(i) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1975.

		सारणी-क												
(1)	(2)													
3. Shri K.C. Chokshi, Asstt. Area Manager, Regional Office, Bank of Baroda, Bombay, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.													
4. Shri D.K. Desai, Professor of Management in Agriculture and Cooperation, Indian Institute of Management, Ahmedabad, representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	Do.													
5. Sardar Arjan Singh Ahuja, Sri Ganganagar (Rajasthan State), representing the interests of farmers—in pursuance of sub-clause (c) of clause 3.	Do.													
6. Shri Jaigopal Vig, Amritsar, representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	Do.													
7. Shri Vijay S. Mahajani, Managing Director, M/s Ojas Engineering (Pvt.) Ltd., Poona—in pursuance of sub-clause (f) of clause 3.	Do.													
8. Shri R.K. Roy, Journalist, Bombay—in pursuance of sub-clause (f) of clause 3.														
9. Dr. T.R.S. Goel, Managing Director, Electronics & Computers India Ltd., Ghaziabad—in pursuance of sub-clause (f) of clause 3.														
		<table border="1"> <thead> <tr> <th>(1)</th> <th>(2)</th> </tr> </thead> <tbody> <tr> <td>1 श्री बी० डी० टक्कर, प्रबन्ध निदेशक । खण्ड 3 के उपखण्ड (क) के अनुसरण में ।</td> <td>11 दिसम्बर, 1972 को प्रारंभ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए ।</td> </tr> <tr> <td colspan="2" style="text-align: center;">निवेशक</td> </tr> <tr> <td>2. श्री जितेन्द्र कुमार नरानभाई पटेल, क्लर्क, गांधी रोड ब्रांच, बैंक आफ बड़ोदा, अहमदाबाद, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख)(i) के अनुसरण में ।</td> <td>11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए ।</td> </tr> <tr> <td>3 श्री के० सी० जाकसी, महायक क्षेत्र प्रबंधक, क्षेत्रीय कार्यालय, बैंक आफ बड़ोदा, बम्बई—जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में ।</td> <td>11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए ।</td> </tr> <tr> <td>4. श्री पी० के० देगार्ड, प्राचार्य, कृषि और सहकारिता प्रबंध, भारतीय प्रबंध संस्थान, अहमदाबाद जो उक्त बैंक के निक्षेपकर्ताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (घ) के</td> <td>—यथोक्त—</td> </tr> </tbody> </table>	(1)	(2)	1 श्री बी० डी० टक्कर, प्रबन्ध निदेशक । खण्ड 3 के उपखण्ड (क) के अनुसरण में ।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए ।	निवेशक		2. श्री जितेन्द्र कुमार नरानभाई पटेल, क्लर्क, गांधी रोड ब्रांच, बैंक आफ बड़ोदा, अहमदाबाद, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख)(i) के अनुसरण में ।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए ।	3 श्री के० सी० जाकसी, महायक क्षेत्र प्रबंधक, क्षेत्रीय कार्यालय, बैंक आफ बड़ोदा, बम्बई—जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में ।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए ।	4. श्री पी० के० देगार्ड, प्राचार्य, कृषि और सहकारिता प्रबंध, भारतीय प्रबंध संस्थान, अहमदाबाद जो उक्त बैंक के निक्षेपकर्ताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (घ) के	—यथोक्त—
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Table B

1. Shri A. Raman, Director, Credit Planning and Banking Development Cell, Reserve Bank of India, Bombay—in pursuance of sub-clause (g) of clause 3.

2. Dr. D.N. Saxena, Joint Secretary, Department of Banking, Ministry of Finance, New Delhi—in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72—BOI (Vol III)—4]

का०आ० 4199—यतः, राष्ट्रीयकृत बैंक, बैंक आफ बड़ोदा का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाता है ;

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, बैंक आफ बड़ोदा का निदेशक बोर्ड एतद्वारा गठित करती है और—

(क) नीचे की सारणी क के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों का, उक्त सारणी के स्तम्भ (2) में की तत्स्थानी प्रवृत्ति में विनिर्दिष्ट धर्माप के लिए उक्त बैंक के, यथास्थिति, प्रबन्ध निदेशक या निदेशक, और

(ख) नीचे की सारणी ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक ; नियुक्त करती है ।

7. श्री अजय एस० महाप्रभा, प्रबंध निदेशक, मैसर्स ओजस इंजीनियरिंग (प्राइवेट) लिमिटेड, पुना—1। खण्ड 3 के उपखण्ड (च) के अनुसरण में ।

8. श्री आर० के० राय, पब्लिकर, मुम्बई । खण्ड 3 के उपखण्ड (च) के अनुसरण में । खण्ड 3 के उपखण्ड (च) के अनुसरण में ।

9. डा० टी० आर० एस० गोयल, प्रबंध निदेशक, इलेक्ट्रॉनिक्स एण्ड कम्प्यूटर्स, इंडिया लिमिटेड, गाजियाबाद

सारणी-ख

1. श्री ए० रमन, निदेशक,
क्रेडिट प्लानिंग एण्ड बैंकिंग डेवेलपमेंट सेल,
भारतीय रिजर्व बैंक, मुम्बई
खण्ड 3 के उपखण्ड (ख) के अनुसरण में।
2. डा० डी० एन० गवसैना, संयुक्त सचिव,
बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली
खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं० फा० 9-4/32/72-बी० ओ० 1 (जिल्ड 3)-4]

S.O. 5200.—In pursuance of Sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri V. R. Desai as the Managing Director of United Commercial Bank for the period commencing on 11th December, 1972 and ending with 31st December, 1974.

[No. F. 9-4/32/72-BOI (Vol. III)-1]

का. आ. 5200.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् एतद्वारा श्री वी. आर. देसाई को 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए यूनाइटेड कॉमर्शियल बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी. ओ. 1 (जिल्ड 3)-1]

S.O. 5201.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri V. R. Desai, who has been appointed as Managing Director of United Commercial Bank with effect from 11th December, 1972, to be the Chairman of the Board of Directors of United Commercial Bank with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

D. N. GHOSH, Joint Secy.

का.आ. 5201.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, श्री वी. आर. देसाई को, जो 11 दिसम्बर, 1972 से यूनाइटेड कॉमर्शियल बैंक का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से यूनाइटेड कॉमर्शियल बैंक के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं० फा. 9-4/32/72-बी. ओ. 1 (जिल्ड 3)-3]

डी. एन. घोष, संयुक्त सचिव।

New Delhi, the 4th December, 1972

S.O. 5202.—WHEREAS a Board of Directors of United Commercial Bank, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of United Commercial Bank with effect from 11th December, 1972 and appoints :—

- (a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and
- (b) the persons specified in Table B below as the Directors of the said bank.

TABLE—A

1	2
1. Shri V.R. Desai, Managing Director—in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 31st December, 1974.
Directors	
2. Shri S. Lakshmanan, Special Assistant, Sowcar Pet Branch, United Commercial Bank, Madras, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b) (i) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1975.
3. Shri S.D. Parekar, Officer, Head Office, United Commercial Bank, Calcutta, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Dr. D. Banerjee, Director, National Rubber Manufacturers Ltd., Calcutta, representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	—do—
5. Shri Pannalal Das Gupta, Calcutta, representing the interests of farmers—in pursuance of sub-clause (e) of clause 3.	—do—
6. Shri Gursaran Singh, Bundala, Distt. Jullundur, representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	—do—
7. Dr. Upen Bordoloi, Deptt. of Economics, Gauhati University, Gauhati.	—do—
8. Shri G.P. Sinha, Deptt. of Labour and Social Welfare, University of Patna, Patna.	in pursuance of sub-clause (f) of clause 3.
9. Shri Gopinath Mohanty, Bhubaneswar.	

TABLE -B

1. Kumari N.K. Anibegaonkar, Director, Economic Department, Reserve Bank of India, Bombay, in pursuance of sub-clause (g) of clause 3.
2. Shri D.N. Ghosh, Joint Secretary, Department of Banking, Ministry of Finance, New Delhi, in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72-BOI (Vol. III)-4]

D. M. SUKTHANKAR, Director

नई दिल्ली, 4 दिसम्बर, 1972

का० आ० 5202.—यत्, राष्ट्रीय बैंक, यूनाइटेड कॉमर्शियल बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाना है।

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार 11 दिसम्बर, 1972 से, यूनाइटेड कॉमर्शियल बैंक का निदेशक बोर्ड एतद्वारा गठित करती है, और—

- (क) नीचे की सारणी के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तम्भ (2) में की गन्तव्यो प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबंध निदेशक या निदेशक, और
- (ख) नीचे की सारणी में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक; नियुक्त करती है।

सारणी—क

New Delhi, 4th December, 1972

(1)	(2)
1 श्री वी० आर० देगार्ड प्रबन्ध निदेशक खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए।

निदेशक

2 श्री एम० लक्ष्मणन, विशेष सहायक, सांख्यिक पेट ब्रांच, यूनाइटेड काम- शियल बैंक, मद्रास, जो उक्त बैंक के उन कर्मचारियों का, जो कर्म- कार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख) (i) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए।
3. श्री एम० डी० पारेलकर, अधिकारी, प्रधान कार्यालय, यूनाइटेड काम- शियल बैंक, कलकत्ता, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा— खण्ड 3 के उपखण्ड (ग) के अनु- सरण में।	11 दिसम्बर 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
4 डा० डी० बनर्जी, निदेशक, नेशनल रबर मैनुफैक्चरर्स लिमिटेड, कल- कत्ता, जो उक्त बैंक के निक्षेप- कर्ताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (घ) के अनुसरण में।	—यथोक्त—
5. श्री पन्ना लाल दाम गुप्ता, कलकत्ता, जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—
6 श्री गुरमन सिंह, झुण्डला, जिला जलम्बर, जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ड) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।

7. डा० उपेन बोरवोर्लड, अध्यक्ष विभाग, गौहाटी विश्वविद्यालय, गौहाटी खण्ड 3 के उपखण्ड (च) के अनुसरण में।	} —यथोक्त—
8. श्री जी० पी० मिश्रा, श्रम और समाज कल्याण विभाग, पटना विश्व- विद्यालय, पटना। खण्ड 3 के उप- खण्ड (ज) के अनुसरण में।	
9. श्री गोपीनाथ महन्ती, भुवनेश्वर खण्ड 3 के उपखण्ड (झ) के अनुसरण में।	

सारणी—ख

1. कुमारी एन० के० अम्बेगावकर, निदेशक, आर्थिक विभाग, भारतीय रिजर्व बैंक, मुम्बई, खण्ड 3 के उपखण्ड (छ) के अनुसरण में।	
2. श्री डी० एन० घोष, संयुक्त सचिव, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली, खण्ड 3 के उपखण्ड (ज) के अनुसरण में।	
[संख्या फा. 9-4/32/72-बी.ओ. 1 (जिल्ड 3)-4] डी. एम. मुकुन्दनकर, निदेशक	

S.O. 5203.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. P. J. Prabhu as the Managing Director of Canara Bank for the period commencing on 11th December, 1972 and ending with 30th September, 1973.

[No. F. 9-4/32-72/BOI (Vol. III)-1]

नई दिल्ली, 4 दिसम्बर, 1972

का.आ. 5203.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उप-बन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री के. पी. जे. प्रभु को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 30 सितम्बर, 1973 को समाप्त होने वाली अवधि के लिए कनारा बैंक का प्रबन्ध निदेशक नियुक्त करती हैं।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्ड 3)-3]

S.O. 5204.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. P. J. Prabhu, who has been appointed as Managing Director of Canara Bank with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Canara Bank with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का.आ. 5204.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उप-बन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री के. पी. जे. प्रभु को, जो 11 दिसम्बर, 1972 से कनारा बैंक का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से कनारा बैंक के निदेशक बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती हैं।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्ड 3)-3]

S.O. 5205.—WHEREAS a Board of Directors of Canara Bank, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Canara Bank with effect from 11th December, 1972 and appoints:—

(a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and

(b) the persons specified in Table B below as the Directors of the said Bank.

TABLE—A

(1)	(2)
1. Shri K.P.J. Prabhu, Managing Director, in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 30th September, 1973.
Directors	
2. Shri C.S. Subramaniam, Special Assistant, Canara Bank, Andiappa Naick Street Branch, Madras, representing the employees of the said Bank who are workmen-in pursuance of sub-clause (b) (i) of clause 3.	For the period commencing on 11th December 1972 and ending with 10th December, 1975.

1	2
3. Shri V.P. Kamath, Manager, Canara Bank, Bombay representing the employees of the said Bank who are not workmen-in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Shri K.S.R. Malliah, Berhmavar, District South Kanara, Mysore representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	—do—
5. Shri P.S. Rajagopal Naidu, Vellore, District North Arcot, (Tamil Nadu State), representing the interests of farmers-in pursuance of sub-clause (e) of clause 3.	—do—
6. Mir Shoukath Ali, Master, Craftsman, Mysore, representing the interests of artisans-in pursuance of sub-clause (e) of clause 3.	—do—
7. Dr. C.H. Hanumantha Rao, Senior Fellow, Institute of Economic Growth, Delhi—in pursuance of sub-clause (f) of clause 3.	—do—
8. Shri S.R. Thakur, Panaji, Goa in pursuance of sub-clause (f) of clause 3.	—do—

TABLE-B

1. Shri Abdul Hasib, Director, Economic Department, Reserve Bank of India, Bombay—in pursuance of sub-clause (g) of clause 3.
2. Shri M.K. Venkatachalam, Joint Secretary, Department of Banking, Ministry of Finance, New Delhi, in pursuance of sub-clause (g) of clause 3.

[No. 9-4/32/72-BOI (Vol. III)-4]

का० आ० 5205.—यत्., राष्ट्रीयकृत बैंक, कनाडा बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाता है।

अतः, अब, उक्त स्कीम के अनुसरण में, कन्द्रीय सरकार, 11 दिसम्बर, 1972 में, कनाडा बैंक का निदेशक बोर्ड एतद्वारा गठित करती है और—

- (क) नीचे की मारणी-क के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त मारणी के स्तम्भ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थित, प्रबन्ध निदेशक या निवेशक, और
- (ख) नीचे की मारणी ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक, नियुक्त करती है।

सारणी-क

1	2
1. श्री के० पी० प्रभु, प्रबन्ध निदेशक, खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 30 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
निवेशक	
2. श्री सी० एम० मुबमणयम, विशेष सहायक, कनाडा बैंक, अदि ग्रन्था नाइक स्ट्रीट ब्रांच, मद्रास जो उक्त बैंक के उन कर्मचारियों का जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख) (1) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।

1	2
3. श्री बी० पी० कामथ, प्रबन्धक, कनाडा बैंक, मुम्बई, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
4. श्री के० एम० आर० मल्लियाह, ब्रह्मावड़, जिला दक्षिण कनाडा, मैसूर, जो उक्त बैंक के निक्षेपकर्ताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (घ) के अनुसरण में।	—यथोक्त—
5. श्री पी० एम० राजगोपाल नायडू, वेल्लोर, जिला उत्तर अरकाट, (तमिल-नाडु राज्य) जो कृषकों के हितों के प्रतिनिधित्व करेगा—खण्ड 3 का के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—
6. मीर शौकत अली, मास्टर, शिल्पकार, मैसूर जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ड) के अनुसरण में।	—यथोक्त—
7. डा० सी० एच० हनुमन्त राव, ज्येष्ठ अध्यक्षता इंस्टीट्यूट आफ इकनामिक्स प्रोफ, दिल्ली।	—यथोक्त— खण्ड 3 के उपखण्ड (च) के अनुसरण में।
8. श्री एम० आर० ठाकुर, पणजी, गोवा।	

सारणी-ख

1. श्री प्रभुलु हाजिब, निदेशक, आर्थिक विभाग, भारतीय रिजर्व बैंक, मुम्बई, खण्ड 3 के उपखण्ड (छ) के अनुसरण में।

2. श्री एम० के० येंकटचलम, संयुक्त सचिव, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली, खण्ड तीन के उपखण्ड (ज) के अनुसरण में।

[सं. फा० 9-4/32/72-बी.ओ. 1 (जिल्द 3)-4]

S.O. 5206.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. K. Dutt as the Managing Director of United Bank of India for the period commencing on 11th December, 1972 and ending with 30th September, 1973.

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का.आ. 5206.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, कन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् एतद्वारा श्री बी. के. दुत्त को 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 30 सितम्बर, 1973 को समाप्त होने वाली अवधि के लिए यूनाइटेड बैंक आफ इंडिया का प्रबन्ध निदेशक नियुक्त करती है।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्द 3)-1]

S.O. 5207.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. K. Dutt, who has been appointed as Managing Director of United Bank of India with effect from 11th December, 1972, to be the Chairman of the Board of Directors of United Bank of India with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]
D. N. GHOSH, Joint Secy.

का.आ. 5207.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पीठत, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री बी. के. दुत्त को, जो 11 दिसम्बर 1972 से यूनाइटेड बैंक आफ इंडिया का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से यूनाइटेड बैंक आफ इंडिया के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्द 3)-3]

डी. एन. घोष, संयुक्त सचिव।

New Delhi, the 4th December, 1972

S. O. 5208.—WHEREAS a Board of Directors of United Bank of India, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1907;

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of United Bank of India with effect from 11th December, 1972 and appoints—

(a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and

(b) the persons specified in Table B below as the Directors of the said Bank.

TABLE-A

(1)	(2)
1. Shri B.K. Dutt, Managing Director, in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 30th Sept., 1973.
Directors	
2. Shri Tarapasanna Das, Clerk, United Bank of India, Royal Exchange, Calcutta, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b) (i) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
3. Shri Prabhu Ranjan Sen, Officer, Foreign Department, United Bank of India, Calcutta, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Shri K.P. Barua, Managing Director, Assam State Financial Corporation, Shillong, representing the interests of depositors of the said Bank in pursuance of sub-clause (d) of clause 3.	—do—
5. Shri Kynpham Singh, Unsohwn, Shillong, representing the interests of farmers in pursuance of sub-clause (e) of clause 3.	—do—
6. Shri Kartick Chandra Paul, Ghurni, Distt. Nadia (West Bengal State), representing the interests of artisans in pursuance of sub-clause (e) of clause 3.	—do—
7. Shri S.K. Choudury, Jail Road, Agartala, Tripura—in pursuance of sub-clause (f) of clause 3.	—do—

(1)

(2)

8. Shri P.C. Misao, Imphal, Manipur—in pursuance of sub-clause (f) of clause 3.

For the period commencing on 11th December, 1972 and ending with 10th December, 1972.

TABLE-B

1. Shri Ghulam Ghouse, Director, Agricultural Refinance Corporation, Bombay—in pursuance of sub-clause (g) of clause 3.

2. Shri D. N. Ghosh, Joint Secretary, Department of Banking, Ministry of Finance, New Delhi—in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72-BOI (Vol. III)-4]
D. M. Sukthakar, Director.

नई दिल्ली, 4 दिसम्बर, 1972

सांका०नि० 5208.—यतः राष्ट्रीयकृत बैंक, यूनाइटेड बैंक आफ इण्डिया का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाना है;

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, यूनाइटेड बैंक आफ इण्डिया का निदेशक बोर्ड एतद्वारा गठित करती है, और—

(क) नीचे की सारणी क के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तम्भ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबन्ध निदेशक या निदेशक; और

(ख) नीचे की सारणी ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक नियुक्त करती है।

सारणी—क

(1)	(2)
1. श्री बी० के० दुत्त, प्रबन्ध निदेशक, खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 30 सितम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
निदेशक	
2. श्री तारा प्रमन्न दास, क्लर्क, यूनाइटेड बैंक आफ इण्डिया, रायल ऐक्सचेंज, कलकत्ता जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख) (i) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए।
3. श्री प्रभु रंजन सेन, अधिकारी, विदेश विभाग, यूनाइटेड बैंक आफ इण्डिया, कलकत्ता, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
4. श्री के० पी० बरुआ, प्रबन्ध निदेशक, असम राज्य वित्तीय निगम, शिलांग, जो उक्त बैंक के निषेधकर्ताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (घ) के अनुसरण में।	—यथोक्त—
5. श्री किनफाम सिंह, उनसोहसुन, शिलांग, जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—

(1)	(2)
6. श्री कार्तिक खन्दा पाल, घुर्नी, जिला नदिया (पश्चिमी बंगाल राज्य) जो मिलियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (इ) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
7. श्री एस० के० चौधरी, जेल रोड, अग्रतला, सिपुरा। खण्ड 3 के उपखण्ड (च) के अनुसरण में।	—यथोक्त—
8. श्री पी० सी० मिश्रा, इम्फाल, मणिपुर। खण्ड 3 के उपखण्ड (च) के अनुसरण में।	

सारणी-ख

1. श्री गुलाम गोम, निदेशक, कृषि पुनर्वित्त निगम, मुम्बई, खण्ड 3 के उपखण्ड (छ) के अनुसरण में।
2. श्री डी० एन० घोष, संयुक्त सचिव, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली, खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं. फा. 9-4/32/72 बी.ओ. 1 (जिल्द-3)-4]

डी. एम. मुखयनकर, निदेशक

New Delhi, the 4th December, 1972

S.O. 5209.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri R. A. Gulmohamed as the Managing Director of Dena Bank for the period commencing on 11th December, 1972 and ending with 9th July, 1973.

[No. F. 9-4/32/72/BOI (Vol. III)-1]

नई दिल्ली, 4 दिसम्बर, 1972

का.आ. 5209.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री आर. ए. गुलमहमद को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 9 जुलाई, 1973 को समाप्त होने वाली अवधि के लिए देना बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द-3)-1]

S.O. 5210.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri R. A. Gulmohamed, who has been appointed as Managing Director of Dena Bank with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Dena Bank with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का.आ. 5210.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री आर. ए. गुलमहमद को, जो 11 दिसम्बर 1972 से देना बैंक का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से देना बैंक के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द-3)-3]

S.O. 5211.—WHEREAS a Board of Directors of Dena Bank, a nationalised bank, is to be continued under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Dena Bank with effect from 11th December, 1972 and appoints—

- (a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and
- (b) the persons specified in Table B below as the Directors of the said Bank.

TABLE A

(1)	(2)
1. Shri R. A. Gulmohamed, Managing Director,—in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 9th July, 1973.
Directors	
2. Shri Bikas Chandra Das Gupta, Special Assistant, Bra-bourne Road Branch, Dena Bank, Calcutta, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b) (ii)(c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th June, 1973.
3. Shri T. H. Narayanswami, Accountant, Dena Bank, Bombay, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Shri Krishna Raj, Editor, Economic and Political Weekly, Bombay, representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	-do-
5. Shri Devabhai Prabhubhai Patel, Village Pipal Gabhan, Distt. Bulsar, (Gujarat State), representing the interests of farmers in pursuance of sub-clause (e) of clause 3.	-do-
6. Shri Krishna Gopal Malviya, Indore, representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	-do-
7. Shri Mohinder Pal Puri, Chartered Accountant, New Delhi, in pursuance of sub-clause (f) of clause 3.	-do-

TABLE—B

1. Shri V. V. Divatia, Adviser, Department of Statistics, Reserve Bank of India, Central Office, Bombay, in pursuance of sub-clause (g) of clause 3.
2. Shri N. Sethuraman, Director, Department of Banking, Ministry of Finance, New Delhi, in pursuance of sub-clause (h) of clause 3.

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का० आ० 5211 यतः, राष्ट्रीयकृत बैंक, देना बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाता है;

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, देना बैंक का निदेशक बोर्ड एतद्वारा गठित करती है और—

(क) नीचे की सारणी क के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तम्भ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबन्ध निदेशक या निवेशक; और

(ख) नीचे की सारणी ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक; नियुक्त करती है।

सारणी क

(1)	(2)
1. श्री आर० ए० गुलमुहम्मद, प्रबन्ध निदेशक, खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 9 जुलाई, 1973 को समाप्त होने वाली अवधि के लिए।
2. श्री विकास चन्द्र दास गुप्ता, विशेष महायक, बैंकों रोड ब्रांच, देना बैंक, कलकत्ता जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (क) (i) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 जून, 1973 को समाप्त होने वाली अवधि के लिए।
3. श्री टी० एन० नारायण स्वामी, लेखा-पाल, देना बैंक, मुम्बई जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
4. श्री कृष्ण राज, सम्पादक, इकनामिक एण्ड पोलिटिकल वीकली, मुम्बई जो उक्त बैंक के निक्षेपकर्ताओं के हितों का प्रतिनिधित्व करेगा—(घ) खण्ड 3 के उपखण्ड के अनुसरण में।	—यथोक्त—
5. श्री देवभाई प्रभुभाई पटेल, ग्राम पीपल गभन, जिला बुल्सर, (गुजरात राज्य) जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—
6. श्री कृष्ण गोपाल मासवीय, इंदौर जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ड) के अनुसरण में।	यथोक्त
7. श्री महिन्दर पाल पुरी, इंदौर।	} --यथोक्त-- खण्ड 3 के उपखण्ड (च) के अनुसरण में।
8.	

सारणी ख

1. श्री बी० बी० बिबानिया, सहायकार, सांख्यिकी विभाग, भारतीय रिजर्व बैंक, केन्द्रीय कार्यालय, मुम्बई, खण्ड 3 के उपखण्ड (छ) के अनुसरण में।

2. श्री सेतूरमन, निदेशक, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली, खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[संख्या फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-4]

S.O. 5212.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. K. Pai as the Managing Director of Syndicate Bank for the period commencing on 11th December, 1972 and ending with 31st December, 1974.

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का.आ. 5212.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री के. के. पाई को 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए सिन्डिकेट बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द-3)-1]

S.O. 5213.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri K. K. Pai, who has been appointed as Managing Director of Syndicate Bank with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Syndicate Bank with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का. आ. 5213.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री के. के. पाई को, जो 11 दिसम्बर, 1972 से सिन्डिकेट बैंक का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से सिन्डिकेट बैंक के निवेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्द 3)-3]

S.O. 5214.—WHEREAS a Board of Directors of Syndicate Bank, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

NOW, THEREFORE, in pursuance of the said Scheme, Government hereby constitutes the Board of Directors of Syndicate Bank with effect from 11th December, 1972 and appoints—

(a) the persons specified in coloumn (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in coloumn (2) of the said Table; and

(b) the persons specified in Table B below as the Directors of the said Bank.

TABLE—A

(1)	(2)
1. Shri K.K. Pai, Managing Director, in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 31st December, 1974.
Directors	
2. Shri U.P. Shet, Special Assistant, Mount Road Branch, Syndicate Bank, Madras, representing the employees of the said Bank who are workmen-in pursuance of sub-clause (b) (i) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1975.
3. Shri J. U. Prabhu, Manager, Gandhi Nagar Branch, Syndicate Bank, Bangalore, representing the employees of the said Bank who are not workmen-in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973
4. Shri Swaminatha Reddy, Managing Director, Andhra Pradesh State Financial Corp., Hyderabad, representing the interests of depositors of the said Bank-in pursuance of sub-clause (d) of clause 3.	-do-
5. Shri U. K. Subbajiah, Kalasa Farm, White-field, Distt. Bangalore, (Mysore State), representing the interests of farmers—in pursuance of sub-clause (e) of clause 3.	-do-
6. Shri V. Ganapati Sthapati, Govt. Sculpture Training Centre, Mahaballipuram (Tamil Nadu State), representing the interests of artisans in pursuance of sub-clause (c) of clause 3.	-do-
7. Shri B. K. Kapur, Delhi,—in pursuance of sub-clause (f) of clause 3.	-do-
8. Dr. M. B. Mohamad, Puthar, Distt. South Kanara (Mysore State)—in pursuance of sub-clause (f) of clause 3.	-do-
9. Dr. N. C. Billigiri Rangaiiah, Advocate, Bangalore,—in pursuance of sub-clause (f) of clause 3.	-do-

TABLE B

1. Shri K.B. Chore, Deputy Chief Officer, Department of Banking Operations and Development, Reserve Bank of India, Central Office, Bombay, in pursuance of sub-clause (g) of clause 3.
2. Shri K. P. Geethakrishnan, Director, Department of Banking, Ministry of Finance, New Delhi, in pursuance of sub-clause (h) of clause 3.

का० बा० 5214.—यतः, राष्ट्रीयकृत बैंक, सिन्डीकेट बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाना है ;

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, सिन्डीकेट बैंक का निदेशक बोर्ड एतद्वारा गठित करती है और—

(क) नीचे की सारणी क के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तम्भ (2) में की तरस्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबन्ध निदेशक या निदेशक; और

(ख) नीचे की सारणी ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक; नियुक्त करती है ।

सारणी क

1	2
1. श्री के० के० पाई, प्रबन्ध निदेशक, खण्ड 3 के उपखण्ड (क) के अनुसरण में ।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए ।
निदेशक	
2. श्री यू० पी० शेट, विशेष सहायक, माउंट रोड ब्रांच, सिन्डीकेट बैंक, जो मद्रास जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख) (i) के अनुसरण में ।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए ।
3. श्री जे० यू० प्रभु, प्रबन्धक, गांधी नगर ब्रांच, सिन्डीकेट बैंक, बंगलौर जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में ।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए ।
4. श्री स्वामीनाथ रेड्डी, प्रबन्ध-निदेशक, आन्ध्र प्रदेश राज्य वित्तीय नियम, हैदराबाद जो उक्त बैंक के निक्षेप-कर्ताओं के हितों का प्रतिनिधित्व करेगा—(घ) खण्ड 3 के उपखण्ड के अनुसरण में ।	—यथोक्त—
5. श्री यू० के० सुब्बय्या, कलश फार्म वाहईट-फील्ड, जिला बंगलौर (मैसूर राज्य) जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में ।	—यथोक्त—
6. श्री वी० गणपति स्थापति, गर्बनमेंट स्कल्पचर ट्रेनिंग सेंटर महाबलीपुरम (तमिलनाडु राज्य) जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में ।	—यथोक्त—
7. श्री बी० के० कपूर, दिल्ली । खण्ड 3 के उपखण्ड (च) के अनुसरण में ।	—यथोक्त—
8. डा० एम० बी० मुहम्मद, पुत्तूर, जिला दक्षिण कनाड़ा (मैसूर राज्य) । खण्ड 3 के उपखण्ड (च) के अनुसार में ।	

TABLE—A

1	2
9. डा० एन० सी० बिलिंगरि रंगप्पा, 11 दिसम्बर, 1972 को प्रारम्भ प्रधिवक्ता, बंगलौर। खण्ड 3 के होने वाली और 10 दिसम्बर, उपखण्ड च के अनुसरण में। 1973 को समाप्त होने वाली अवधि के लिए।	

सारणी ख

1. श्री के० बी० मोरे, उप मुख्य-प्रधिकारी, बैंककारी क्रिया और विकास विभाग, भारतीय रिजर्व बैंक, केन्द्रीय कार्यालय, मुम्बई, खण्ड 3 के उपखण्ड (छ) के अनुसरण में।
2. श्री के० पी० गीताकृष्णन्, निदेशक, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली, खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं. का. 9-4/32/72-बी.ओ. I (जिल्द 3)-4]

S.O. 5215.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri P. F. Gutta as Managing Director of Union Bank of India for the period commencing on 11th December, 1972 and ending with 31st December, 1974.

[No. F. 9-4/32-72/BOI (Vol. III)-1]

का. आ. 5215.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री पी. एफ. गुट्टा को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 दिसम्बर 1974 को समाप्त होने वाली अवधि के लिए यूनियन बैंक आफ इंडिया का प्रबन्ध निदेशक नियुक्त करती है।

[सं. का. 9-4/32/72-बी.ओ. I (जिल्द-3)-1]

S.O. 5216.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri P. F. Gutta, who has been appointed as Managing Director of Union Bank of India with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Union Bank of India with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का. आ. 5216.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री पी. एफ. गुट्टा को, जो 11 दिसम्बर, 1972 से यूनियन बैंक आफ इंडिया का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से यूनियन बैंक आफ इंडिया के निवेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. का. 9-4/32/72-बी.ओ. I (जिल्द 3)-3]

S.O. 5217.—WHEREAS as Board of Director of Union Bank of India, a nationalised bank, is to be constituted under clause 3 of Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Union Bank of India with effect from 11th December, 1972 and appoints—

- (a) the persons specified in Column(1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and
- (b) the persons specified, in Table B below as the Director of the said Bank.

(1)	(2)
1. Shri P. F. Gutta, Managing Director,—in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 31st December, 1974.
Directors	
2. Shri S. Bardhan, Stenographer, Union Bank of India, India Exchnage Place, Calcutta, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b) (1) of clause 3.	For the period commencing on 11th December 1972 and ending with 10th December, 1975.
3. Shri S. B. Godiwalla, Law Officer, Head Office, Union Bank of India, Bombay, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Shri K. H. Parikh, Managing Director, Bharat of Ophthalmic Glass Ltd., Durgapur 10 (West Bengal State), representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	-do-
5. Shri Radhakant Ramakant Upasani, Principal, Agricultural School, Varanasi, representing the interests of farmers—in pursuance of sub-clause (e) of clause 3.	-do-
6. Shri Mohamed Zilani, M/s. Haji Sheikh Imam Sahib & Sons, Tangellamudi, Eluru, (Andhra Pradesh State), representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	-do-
7. Shri P. K. Sadanandan, Small Scale Industrialist, Cochin,—in pursuance of sub-clause (f) of clause 3.	-do-

TABLE—B

1. Shri D. P. Gupta, Manager, Industrial Development Bank of India, Bombay,—in pursuance of sub-clause (g) of clause 3.
2. Shri M. Dandapani, Director, Department of Banking, Ministry of Finance, New Delhi,—in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72-BOI (Vol. III)-4]

का. आ. 5217.—यतः, राष्ट्रीयकृत बैंक, यूनियन बैंक आफ इंडिया का निदेशक बोर्ड राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 3 के अधीन गठित किया जाना है;

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 में, यूनियन बैंक आफ इंडिया का निवेशक बोर्ड एतद्वारा गठित करती है और—

- (क) नीचे की सारणी क के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तम्भ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबन्ध निदेशक या निवेशक; और
- (ख) नीचे की सारणी ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निवेशक; नियुक्त करती है।

सारणी क

1	2
1. श्री पी० एफ० गढ़ा प्रबन्ध निदेशक खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 दिसम्बर 1974 को समाप्त होने वाली अवधि के लिए।
निर्देशक	
2. श्री एस० वर्धन आणुलिपिक, यूनि- यन बैंक आफ इंडिया, इंडिया एक्सचेंज प्लेस, कलकत्ता जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा-खण्ड 3 के उपखण्ड (ख) (1) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली 10 दिसम्बर, 1975 को समाप्त होने वाली और अवधि के लिए।
3. श्री एस० बी० गोदीवाना, निधि अधिकारी, प्रधान कार्यालय, यूनि- यन बैंक आफ इंडिया, मुम्बई जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा-खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
4. श्री के० एच० पारिख, प्रबन्ध निदेशक, भारत आस्थात्मक ग्लोस लिमिटेड, बुरीपुर-10 (पश्चिमी बंगाल राज्य) जो उक्त बैंक के निवेदकों के हितों का प्रतिनिधित्व करेगा- (घ) खण्ड 3 के उपखण्ड के अनुसरण में।	-----यथोक्त-----
5. श्री राधाकान्त रमाकान्त उपामर्सी, प्रधानाचार्य, कृषि विद्यालय, वाराणसी जो कृषकों के हितों का प्रतिनिधित्व करेगा-खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	-----यथोक्त-----
6. श्री मुहम्मद जिलानी मैमर्स हाजी- शेख हमाम साहिब एण्ड सन्स, तेगेलामुखी, एलरु (प्रान्धप्रवेश राज्य) जो शिल्पियों के हितों का प्रतिनिधित्व करेगा-खण्ड 3 के उपखण्ड (ड) के अनुसरण में।	-----यथोक्त-----
7. श्री पी० के० सदानन्दन, स्माल स्केल इन्डस्ट्रियलिस्ट, कोचीन खण्ड 3 के उपखण्ड (च) के अनुसरण में।	-----यथोक्त-----

सारणी ख

1. श्री डी० पी० गुप्ता, प्रबन्धक, भारतीय औद्योगिक विकास बैंक,
मुम्बई खण्ड 3 के उपखण्ड (छ) के अनुसरण में।
2. श्री एम० दण्डपाणि, निदेशक, बैंकिंग विभाग, वित्त मंत्रालय, नई
दिल्ली खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं. फा. 9-4/32/72 बो.ओ. I (जिल्द-3)-4]

S.O. 5218.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. K. Mookerjee as the Managing Director of Allahabad Bank for the period commencing on 11th December, 1972 and ending with 17th July, 1973.

[No. F. 9-4/32/72—BOI (Vol. III)-1]

का.आ. 5218.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री बी. के. मुकुर्जी को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 17 जुलाई, 1973 को समाप्त होने वाली अवधि के लिए इलाहाबाद बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्द 3)-11]

S.O. 5219.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri B. K. Mookerjee, who has been appointed as Managing Director of Allahabad Bank with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Allahabad Bank with effect from the same date.

[No. F. 9-4/32/72—BOI (Vol. III)-3]

का.आ. 5219.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, श्री बी. के. मुकुर्जी को, जो 11 दिसम्बर, 1972 से इलाहाबाद बैंक का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से इलाहाबाद बैंक के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्द 3)-3]

S.O. 5220.—WHEREAS a Board of Directors of Allahabad Bank, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

NOW, THEREFORE in pursuance of the said Scheme the Central Government hereby constitutes the Board of Directors of Allahabad Bank with effect from 11th December, 1972 and appoints —

(a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and

(b) the persons specified in Table B below as the Directors of the said Bank.

TABLE—A

(1)	(2)
1. Shri B. K. Mookerjee, Managing Director—in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972 and ending with 17th July, 1973.

Directors

2. Shri Bhupesh Sarkar, Special Asstt., Allahabad Bank, India Exchange Place, Calcutta representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b)(i) of clause 3.

For the period commencing on 11th December, 1972 and ending with 10th December, 1975.

1	2
3. Shri J. D. Jain, Asstt. Officer (Grade III), Allahabad Bank, Meerut Cantt. Branch, Meerut, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Shri M. R. Roy, Managing Director, West Bengal Financial Corporation, Calcutta, representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	-do-
5. Shri Samar Pal Singh, Kundeshwari, District Nainital (Uttar Pradesh), representing the interests of farmers—in pursuance of sub-clause (e) of clause 3.	-do-
6. Shri Khalid Anwer Ansari, Patna, representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	-do-
7. Shri S. N. Srivastava, Patna, in pursuance of sub-clause (f) of clause 3.	-do-
8. Dr. M. A. Zaheer, Associate Professor of Business Administration, Himachal Pradesh University, Simla.	
—In pursuance of sub-clause (f) of clause 3.	

TABLE—B

1. Shri A. K. Bhuchar, Joint Chief Officer, Department of Banking Operations and Development, Reserve Bank of India, Central Office, Bombay,—in pursuance of sub-clause (g) of clause 3.
2. Shri N. Sethuraman, Director, Department of Banking, Ministry of Finance, New Delhi,—in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72/BOI (VOL. III)-4]

का.प्र. 5220.— यत्, राष्ट्रीयकृत बैंक, इलाहाबाद बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड के अधीन गठित किया जाता है;

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 में, इलाहाबाद बैंक का निदेशक बोर्ड ऐतद्द्वारा गठित करती है और:—

(क) नीचे की सारणी क के स्तम्भ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तम्भ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबन्ध निदेशक या निदेशक; और

(ख) नीचे की सारणी ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक; नियुक्त करती है।

सारणी क

1	2
1. श्री बी० के० सुकर्मी प्रबन्ध निदेशक खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972; प्रारम्भ होने वाली और 17 जुलाई, 1973 को समाप्त होने वाली अवधि के लिए।

निदेशक

2. श्री भूपेश सरकार, विशेष सहायक, इलाहाबाद बैंक, इंडिया एससबैंज प्लेस, कलकत्ता जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख) (1) अनुसरण में।

3. श्री जे० डी० जैन, सहायक अधिकाारी (ग्रेड 3), इलाहाबाद बैंक, मेरठ कैंटोनमेंट ब्रांच, मेरठ जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।

4. श्री एम० आर० राम, प्रबन्ध निदेशक, पश्चिमी बंगाल वित्तीय निगम, कलकत्ता जो उक्त बैंक के निक्षेप-कर्ताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (घ) के अनुसरण में।

5. श्री समर पाल सिंह, कन्देश्वरी, जिला नैनीताल (उत्तर प्रदेश) जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।

6. श्री खालिद अन्वर अन्सारी, पटना जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (च) के अनुसरण में।

7. श्री एस० एन० श्री वास्तव, पटना खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

8. डा० एम० ए० जहीर महप्रभाचार्य, कारवार, प्रशासन, हिमाचल प्रदेश विश्वविद्यालय, शिमला। खंड 3 के उपखंड (च) के अनुसरण में।

सारणी ख

1. श्री ए० के० भूषर, संयुक्त मुख्य अधिकारी, बैंककारी क्रिया और विकास विभाग, भारतीय रिजर्व बैंक, केन्द्रीय कार्यालय, मुम्बई खण्ड 3 के उपखण्ड (छ) के अनुसरण में।
2. श्री एन० सेतूरमन, निदेशक, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं.फा. 9-4/32/72-बी.ओ. I (जिल्ड-3)-4]

S.O. 5221.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri G. Lakshminarayanan as the Managing Director of India Bank for the period commencing on 11th December, 1972 and ending with 31st December, 1974.

[No. F. 9-4/32-72/BOI (Vol. III)-1]

का. आ. 5221.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री जी. लक्ष्मीनारायणन को, 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए इंडियन बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-1]

S.O. 5222.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri G. Lakshminarayanan, who has been appointed as Managing Director of Indian Bank with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Indian Bank with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का.आ. 5222.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, श्री जी. लक्ष्मीनारायणन को, जो 11 दिसम्बर, 1972 से इंडियन बैंक का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से इंडियन बैंक के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्द 3)-3]

S.O. 5223 :—WHEREAS a Board of Directors of Indian Bank, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Schemes, 1970 ;

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Indian Bank with effect from 11th December, 1972 and appoints—

- (a) the persons specified in column (1) of Table A below is the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table ; and
(b) the persons specified in Table B below as the Directors of the said Bank.

TABLE A

(1)	(2)
1. Shri G. Lakshminarayanan, Managing Directors,—in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December, 1972, and ending with 31st December, 1974.
Directors	
2. Shri R. M. Vellayan, Clerk, Head Office, Indian Bank, Madras, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b)(i) of clause 3.	For the period commencing on 11th December, 1972 ending with 10th December, 1975.
3. Shri M. Gopalakrishnan, Agent, Purasawakam Branch, Indian Bank, Madras. representing the employees of the said Bank who are not workmen—in the pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973.
4. Shri P. Krishnaswamy, Madras, representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	-do.-

(1)

(2)

5. Shri M. Seetharama Dos, Eluru, (Andhra Pradesh), representing the interests of farmers—in pursuance of sub-clause (e) of clause 3. For the period commencing on 11th December, 1972 and ending with 10th December 1973
6. Shri C. Prabhakaran, Cochin, representing the interests of artisans—in pursuance of sub-clause (e) of clause 3. -do-
7. Shri M. A. Kamruddin, Small Scale Industrialist, Palghat, Kerala.—In pursuance of sub-clause (f) of clause 3. } -do-
8. Dr. B. Natarajan, Economist, Madras.—In pursuance of sub-clause (f) of clause 3. }

TABLE—B

1. Shri M. J. Ambani, Manager, Credit Guarantee Corporation of India Ltd., Bombay,—in pursuance of sub-clause (g) of clause 3.
2. Shri M. G. Balasubramanian, Joint Secretary, Department of Banking, Ministry of Finance, New Delhi,—in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72—BOI (Vol. III)—4]

का.आ. 5223.—यतः राष्ट्रीयकृत बैंक, इंडियन बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाना है;

अतः, अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, इंडियन बैंक का निदेशक बोर्ड एतद्वारा गठित करती है और—

- (क) नीचे की सारणी-क के स्तंभ (1) में विनिर्दिष्ट व्यक्तियों को उक्त सारणी के स्तंभ (2) में की तस्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबंध निदेशक या निदेशक; और
- (ख) नीचे की सारणी-ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक; नियुक्त करती है।

सारणी क

(1)	(2)
1. श्री जी० लक्ष्मी नारायणन प्रबन्ध निदेशक। खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 31 दिसम्बर, 1974 को समाप्त होने वाली अवधि के लिए।
निदेशक	
2. श्री आर० एम० वेल्लयन, क्लर्क, प्रधान कार्यालय, इंडियन बैंक, मद्रास, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ख)(i) के अनुसरण में	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर 1975 को समाप्त होने वाली अवधि के लिए।

1

2

3. श्री एम० गोपालकृष्णन, एजेंट, पुरामवल्लम ब्राच, इंडियन बैंक, मद्रास जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।
4. श्री पी० कृष्णास्वामी, मद्रास जो उक्त बैंक के निक्षेपकर्तृओं के हितों का प्रतिनिधित्व करेगा—(घ) खण्ड 3 के उपखण्ड के अनुसरण में।
5. श्री एम० सीताराम दाम एल्लुक् (आन्ध्र प्रदेश) जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 उपखण्ड (ङ) के अनुसरण में।
6. श्री सी० प्रभाकरन, कोचीन जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ञ) के अनुसरण में।
7. श्री एम० ए० कमरुद्दीन, स्माल स्कैल इन्डस्ट्रियलिस्ट, पालघाट, केरल—खण्ड 3 के उपखण्ड (च) के अनुसरण में।
8. डा० बी० नटराजन, ग्रथेणास्त्री मद्रास—खण्ड 3 के उपखण्ड (व) के अनुसरण में।

—यथोक्त—

—यथोक्त—

—यथोक्त—

सारर १-ख

1. श्री एम० जे० अम्बाणी, प्रबंधक, क्रेडिट गारंटी कारपोरेशन आफ इंडिया लिमिटेड बम्बई—खण्ड 3 के उपखण्ड (छ) के अनुसरण में।
2. श्री एम० जी० बालासुब्रमण्यन, संयुक्त सचिव, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली—खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[सं. फा. 9-4/32/72 बी.ओ. 1 (जिल्ड-3)-4]

S.O. 5224.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri C. V. Joag as the Managing Director of Bank of Maharashtra for the period commencing on 11th December, 1972 and ending with 30th September, 1973.

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फा. आ. 5224.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री सी. वी. जोग को, 11 दिसम्बर 1972 को प्रारम्भ होने वाली और 30 सितम्बर, 1973 को समाप्त होने वाली अवधि के लिए बैंक आफ महाराष्ट्र का प्रबन्ध निदेशक नियुक्त करती हैं।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्ड-3)-1]

S.O. 5225.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri C. V. Joag, who has been appointed as Managing Director of Bank of Maharashtra with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Bank of Maharashtra with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

फा.आ. 5225.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, श्री सी. वी. जोग को, जो 11 दिसम्बर, 1972 से बैंक आफ महाराष्ट्र का प्रबन्ध निदेशक नियुक्त किया गया है, उसी तारीख से बैंक आफ महाराष्ट्र के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती हैं।

[सं. फा. 9-4/32/72 बी.ओ. 1 (जिल्ड-3)-3]

S.O. 5226.—WHEREAS a Board of Directors of Bank of Maharashtra, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Bank of Maharashtra with effect from 11th December, 1972 and appoints—

- (a) the persons specified in column (1) of Table A below as the Managing Director or Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table ; and
- (b) the person specified in Table B below as the Directors of the said Bank.

TABLE-A

(1)	(2)
1. Shri. V. V. Joag, Managing Director, in pursuance of sub-clause (a) of clause 3.	For the period commencing on 11th December 1972 and ending with 30th September, 1973.
<i>Directors</i>	
2. Shri S. D. Dhopeshwarkar, Special Assistant, Bank of Maharashtra, Fort Bombay, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b)(i) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1975.
3. Shri M. R. Kulkarni, Senior Officer, Asstt. General Manager's Office, Bank of Maharashtra, Bombay, representing the employees of the said Bank who are not workmen in pursuance of sub-clause (c) of clause 3.	For the period commencing on 11th Dec. 1972 and ending with 10th December, 1973.
4. Dr. K S. Yawalkar, Nagpur, -do-	representing the interests of depositors of the said Bank in pursuance of sub-clause (d) of clause 3.

(1)	(2)	(1)	(2)
5. Shri S. D. Patil , Urun-Islampur, Distt. Sangli (Maharashtra State), representing the interests of farmers—in pursuance of sub-clause (e) of clause 3.	For the period commencing on the Dec. 1972 and ending with 10th December 1973.	3. श्री एम० आर० कुलकर्णी, ज्येष्ठ अधिकारी, सहायक महाप्रबंधक का कार्यालय, बैंक आफ महाराष्ट्र, मुम्बई जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
6. Shri Hanumant Vasdeo Kuber , Poona, representing the interest of artisans—in pursuance of sub-clause (e) of clause 3.	-do-	4. डा० के० एम० यादवकर, नागपुर जो उक्त बैंक के निक्षेपकर्ताओं के हितों का प्रतिनिधित्व करेगा—(घ) खण्ड 3 के उपखण्ड के अनुसरण में।	—यथोक्त—
7. Dr. (Mrs.) Sulabha Brahme , Gokhale Institute of politics and Economics, Poona,—in pursuance of sub-clause (f) of clause 3.	-do-	5. श्री एम० डी० पाटिल, यूरुन इस्लामपुर जिला सांगली (महाराष्ट्र राज्य) जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—
		6. श्री हनुमन्त वासुदेव कुबेर, पूना जो शिल्पियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (च) के अनुसरण में।	—यथोक्त—
		7. डा० (श्रीमती) सुलभाब्रह्मे, गोखले इंस्टीट्यूट आफ पोलिटिक्स एण्ड इकोनोमिक्स, पूना खण्ड 3 के उपखण्ड (ख) के अनुसरण में।	—यथोक्त—

TABLE-B

1. **Shri H. B. Shivamaggi**, Director, Economic Department, Reserve Bank of India, Bombay, in pursuance of sub-clause (g) of clause 3.
2. **Shri D. M. Sukhthankar**, Director, Department of Banking Ministry of Finance, New Delhi,—in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72-BOI(Vol. III)-4]

का०आ० 5226.—यतः, राष्ट्रीयकृत बैंक, बैंक आफ महाराष्ट्र का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाना है।

अतः अब, उक्त स्कीम के अनुसरण में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, बैंक आफ महाराष्ट्र का निदेशक बोर्ड एतद्वारा गठित करती है और—

(क) नीचे की सारणी-क के स्तंभ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तंभ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबंध निदेशक या निदेशक; और

(ख) नीचे की सारणी-ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक; नियुक्त करती है।

सारणी—क

(1)	(2)
1. श्री सी० वी० जोग, प्रबन्ध निदेशक खण्ड 3 के उपखण्ड (क) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 30 सितम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
निदेशक	
2. श्री एम० डी० घोषेश्वरकर, विशेष सहायक, बैंक आफ महाराष्ट्र, फोर्ट, मुम्बई, जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा— खण्ड 3 के उपखण्ड (ख) (1) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।

सारणी—ख

1. श्री एच० बी० शिवमग्गी, निदेशक, प्राथमिक विभाग, भारतीय रिजर्व बैंक, मुम्बई खण्ड 3 के उपखण्ड (छ) के अनुसरण में।
2. श्री डी० एम० मुकठकार, निदेशक, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली खण्ड 3 के उपखण्ड (ज) के अनुसरण में।

[संख्या फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-4]

S.O. 5227.—In pursuance of sub-clause (a) of clause 3, read with sub-clause (1) of clause 8, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri R. N. Chettur as Managing Director of Indian Overseas Bank for the period commencing on 11th December, 1972 and ending with 30th September, 1973.

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का.आ. 5227.—राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के, खण्ड 8 के उपखण्ड (1) के साथ पठित, खण्ड 3 के उपखण्ड (क) के अनुसरण में, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात्, एतद्वारा श्री आर. एन. चेट्टूर को 11 दिसम्बर, 1972 को प्रारम्भ होने वाली और 30 सितम्बर, 1973 को समाप्त होने वाली अवधि के लिए इंडियन ओवरसीज बैंक का प्रबन्ध निदेशक नियुक्त करती है।

[संख्या फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-1]

S.O. 5228.—In pursuance of sub-clause (1) of clause 5, read with clause 7, of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government, after consultation with the Reserve Bank of India, hereby appoints Shri R. N. Chettur, who has been appointed as Managing Director of Indian Overseas Bank with effect from 11th December, 1972, to be the Chairman of the Board of Directors of Indian Overseas Bank with effect from the same date.

[No. F. 9-4/32/72-BOI (Vol. III)-3]

का.आ. 5228.—राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 7 के साथ पठित, खण्ड 5 के उपखण्ड (1) के अनुसार म^०, केन्द्रीय सरकार, भारतीय रिजर्व बैंक से परामर्श के पश्चात् श्री आर. एन. चेट्टूर को जो 11 दिसम्बर, 1972 से इंडियन ओवरसीज बैंक का प्रबंध निदेशक नियुक्त किया गया है, उसी तारीख से इंडियन ओवरसीज बैंक के निदेशक-बोर्ड का अध्यक्ष एतद्वारा नियुक्त करती है।

[सं. फा. 9-4/32/72-बी. ओ. 1 (जिल्द 3)-3]

S.O. 5229.—WHEREAS, a Board of Directors of Indian Overseas Bank, a nationalised bank, is to be constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

NOW, THEREFORE, in pursuance of the said Scheme, the Central Government hereby constitutes the Board of Directors of Indian Overseas Bank with effect from 11th December, 1972 and appoints—

- (a) the persons specified in column (1) of Table A below as the Managing Director of Directors, as the case may be, of the said Bank for the respective period specified in the corresponding entry in column (2) of the said Table; and
- (b) the persons specified in Table B below as the Directors of the said Bank.

TABLE-A

(1)	(2)
1. <i>Shri R. N. Chettur, Managing Director</i> ,—in pursuance of sub-clause (a) of Clause 3.	For the period commencing on 11th December 1972 and ending with 30th September, 1973.
<i>Directors</i>	
2. <i>Shri Panjetti Anandan Kumaran</i> , clerk, Indian Overseas Bank, Central Office, Madras, representing the employees of the said Bank who are workmen—in pursuance of sub-clause (b)(i) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1975.
3. <i>Shri K. V. Bajasubramanian</i> , Accountant, Indian Overseas Bank, Poonamallee High Road Madras, representing the employees of the said Bank who are not workmen—in pursuance of sub-clause (c) of clause 3.	-do-

1	2
4. <i>Shri M. K. Raju</i> , General Manager, Indian, Pistons Ltd., Madras, representing the interests of depositors of the said Bank—in pursuance of sub-clause (d) of clause 3.	For the period commencing on 11th December, 1972 and ending with 10th December, 1973
5. <i>Shri T. N. Palaniswamy</i> , "Muruganatham", Tudiyalur, Distt. Coimbatore, (Tamil Nadu), representing the interests of farmers—in pursuance of sub-clause (e) of clause 3.	-do-
6. <i>Smt. Prabhamayi Devi</i> , Cuttack, Orissa, representing the interests of artisans—in pursuance of sub-clause (e) of clause 3.	-do-
7. <i>Shri Joseph Chackola</i> , Businessman and Industrialist, Cochin (Kerala State), In pursuance of sub-clause (f) of clause 3.	-do-
8. <i>Shri N. B. Prasad</i> , Engineer, Hyderabad.	

TABLE-B

- Kum M. Tyagarajan, Director, Credit Planning and Banking Development Cell, Reserve Bank of India, Bombay, in pursuance of sub-clause (g) of clause 3.
- Shri M. G. Balasubramanian, Joint Secretary, Department of Banking, Ministry of Finance, New Delhi—in pursuance of sub-clause (h) of clause 3.

[No. 9-4/32/72-BOI (Vol. III)-4]

का०आ० 5229—यत्, राष्ट्रीयकृत बैंक, इंडियन ओवरसीज बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबंध और प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया जाना है;

अतः, अब, उक्त स्कीम के अनुसार में, केन्द्रीय सरकार, 11 दिसम्बर, 1972 से, इंडियन ओवरसीज बैंक का निदेशक बोर्ड एतद्वारा गठित करती है और—

- (क) नीचे की सारणी-क के स्तंभ (1) में विनिर्दिष्ट व्यक्तियों को, उक्त सारणी के स्तंभ (2) में की तत्स्थानी प्रविष्टि में विनिर्दिष्ट अवधि के लिए उक्त बैंक के, यथास्थिति, प्रबंध निदेशक या निवेशक; और
- (ख) नीचे की सारणी-ख में विनिर्दिष्ट व्यक्तियों को उक्त बैंक के निदेशक; नियुक्त करती है।

सारणी-क

1	2
1. श्री आर० एन० चेट्टूर, प्रबंध निदेशक खण्ड 3 के उपखण्ड (क) के अनुसार में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 30 सितम्बर, 1973 को समाप्त होने वाली अवधि के लिए।
निदेशक :	
2. श्री पनजेट्टी आनन्दन कुमार देवन, क्लर्क, इंडियन ओवरसीज बैंक, केन्द्रीय कार्यालय, मद्रास जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उप-खण्ड (ख) (i) के अनुसार में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1975 को समाप्त होने वाली अवधि के लिए।

1	2	दिनांक, 11 दिसम्बर, 1972
3. श्री के० जी० बालामुन्नम्पयन्, लेखपाल, इंडियन ओवरसीज बैंक, पूना-मल्ली हाई रोड, मद्रास जो उक्त बैंक के उन कर्मचारियों का, जो कर्मकार नहीं हैं, प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ग) के अनुसरण में।	11 दिसम्बर, 1972 को प्रारंभ होने वाली और 10 दिसम्बर, 1973 को समाप्त होने वाली अवधि के लिए।	का.आ. 5230.—यतः, राष्ट्रीयकृत बैंक, सेंट्रल बैंक आफ इंडिया का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,
4. श्री एम० के० राजू, महाप्रबंधक, इंडियन पिस्टन्स लिमिटेड, मद्रास जो उक्त बैंक के निक्षेपकर्ताओं के हितों का प्रतिनिधित्व करेगा—खण्ड 3 उपखण्ड (घ) के अनुसरण में।	—यथोक्त—	अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि सेंट्रल बैंक आफ इंडिया के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।
5. श्री टी० एन० पलानीस्वामी, "मुरुगनाथम", टुंडियलर, जिला कोयम्बटूर, (तमिलनाडू) जो कृषकों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—	[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द-3)-2]
6. श्रीमती प्रभामाई देवी, कटक, उड़ीसा जो मिलियों के हितों का प्रतिनिधित्व करेगा—खण्ड 3 के उपखण्ड (ङ) के अनुसरण में।	—यथोक्त—	S.O. 5231.—Where the Board of Directors of Bank of India, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;
7. श्री जोसेफ चकोला, बिजनेसमैन एण्ड इण्डस्ट्रियलिस्ट, कोचीन (केरल राज्य)—	—यथोक्त—	Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Bank of India, holding office as much immediately before the constitution of the Board, has ceased to hold such office with immediate effect.
8. श्री एन० बी० प्रसाद, इंजीनियर, हैबराबाद—		[No. F. 9-4/32/72-BOI (Vol. III)-2]
सारणी ख		का.आ. 5231.—यतः, राष्ट्रीयकृत बैंक, बैंक आफ इंडिया का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,
1. कुमारी एम० त्यागराजन, निदेशक, क्रेडिट प्लानिंग एण्ड बैंकिंग डेवेलपमेंट सेल, भारतीय रिजर्व बैंक, बम्बई। खण्ड 3 के उपखण्ड (छ) के अनुसरण में।		अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि बैंक आफ इंडिया के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।
2. श्री एम० जी० बालामुन्नम्पयन्, संयुक्त सचिव, बैंकिंग विभाग, वित्त मंत्रालय, नई दिल्ली। खण्ड 3 के उपखण्ड (ज) के अनुसरण में।		[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द-3)-2]

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3) म4]

The 11th December, 1972

S.O. 5230.—Where the Board of Directors of Central Bank of India, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970.

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Central Bank of India, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

का.आ. 5232.—यतः, राष्ट्रीयकृत बैंक, पंजाब नेशनल बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि पंजाब नेशनल बैंक के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5233.—Whereas the Board of Directors of Bank of Baroda, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) scheme; 1970.

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Bank of Baroda, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

का. आ. 5233.—यतः, राष्ट्रीयकृत बैंक, बैंक आफ बङ्गला का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि बैंक आफ बङ्गला के अभिरक्षक ने, जो बोर्ड के गठन से ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5234.—Whereas the Board of Directors of United Commerical Bank, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of United Commercial Bank, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

का. आ. 5234.—यतः, राष्ट्रीयकृत बैंक, यूनाइटेड कार्मिशियल बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि यूनाइटेड कार्मिशियल बैंक के अभिरक्षक ने, बोर्ड के गठन के ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5235.—Whereas the Board of Directors of Canara Bank, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Canara Bank, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

का. आ. 5235.—यतः, राष्ट्रीयकृत बैंक, कनाडा बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि कनाडा बैंक के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5236.—Whereas the Board of Directors of United Bank of India, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of United Bank of India, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

का. आ. 5236.—यतः, राष्ट्रीयकृत बैंक, यूनाइटेड बैंक आफ इंडिया का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि यूनाइटेड बैंक आफ इंडिया के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5237.—Whereas the Board of Directors of Dena Bank, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Dena Bank, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

का. आ. 5237.—यतः, राष्ट्रीयकृत बैंक, देना बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि देना बैंक के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5238.—Whereas the Board of Directors of Syndicate Bank, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Syndicate Bank, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

का. आ. 5238.—यतः, राष्ट्रीयकृत बैंक, सिन्डिकेट बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि सिन्डिकेट बैंक के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हॉसियत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5239.—Whereas the Board of Directors of Union Bank of India, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Union Bank of India, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

का. आ. 5239.—यत्तः, राष्ट्रीयकृत बैंक, यूनियन बैंक आफ इंडिया का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि यूनियन बैंक आफ इंडिया के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हिसयत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5240.—Whereas the Board of Directors of Allahabad Bank, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Allahabad Bank, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. II)-2]

का. आ. 5240.—राष्ट्रीयकृत बैंक, इलाहाबाद बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि इलाहाबाद बैंक के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हिसयत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5241.—Whereas the Board of Directors of Indian Bank, a nationalised Bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Indian Bank, holding office as such immediately before the constitution of the Board, has ceased to hold office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. II)-2]

का. आ. 5241.—यत्तः, राष्ट्रीयकृत बैंक, इंडियन बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि इंडियन बैंक के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हिसयत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5242.—Whereas the Board of Directors of Bank of Maharashtra, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970,

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Bank of Maharashtra, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. II)-2]

का. आ. 5242.—यत्तः, राष्ट्रीयकृत बैंक, बैंक आफ महाराष्ट्र का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि बैंक आफ महाराष्ट्र के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हिसयत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

S.O. 5243.—Whereas the Board of Directors of Indian Overseas Bank, a nationalised bank, has been constituted under clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970;

Now, therefore, it is hereby notified in pursuance of clause 4 of the said Scheme that the Custodian of Indian Overseas Bank, holding office as such immediately before the constitution of the Board, has ceased to hold such office with immediate effect.

[No. F. 9-4/32/72-BOI (Vol. III)-2]

D. N. GHOSH, Joint Secy.

का. आ. 5243.—यत्तः, राष्ट्रीयकृत बैंक, इंडियन ओवरसीज बैंक का निदेशक बोर्ड, राष्ट्रीयकृत बैंक (प्रबन्ध और प्रकीर्ण उपबन्ध) स्कीम, 1970 के खण्ड 3 के अधीन गठित किया गया है,

अतः, अब, उक्त स्कीम के खण्ड 4 के अनुसरण में एतद्वारा अधिसूचित किया जाता है कि इंडियन ओवरसीज बैंक के अभिरक्षक ने, जो बोर्ड के गठन के ठीक पूर्व उस हिसयत में पद धारण किए हुए था, अव्यवहित प्रभाव से ऐसा पद धारण करना छोड़ दिया है।

[सं. फा. 9-4/32/72-बी.ओ. 1 (जिल्द 3)-2]

डी. एन. घोष, संयुक्त सचिव।

OFFICE OF THE COLLECTOR OF CENTRAL EXCISE.
KANNAVARITHOTA, GUNTUR

CENTRAL EXCISE

Guntur, the 17th November, 1972

S.O. 5244.—In exercise of the powers conferred on me under Section 2(a) of the produce Cess Act, 1966, I hereby authorise the Central Excise Officers specified in column 4 of the Table hereto annexed, to exercise within their respective jurisdiction, the powers of the Collector under section of the Produce Cess Act, 1966 enumerated in column 2 to the extent given in column 3 of the said Table.

TABLE

Sl. No.	Relevant Section of the Produce Cess Act, 1966	In regard to	Officers of the Central Excise to whom the Powers are delegated
1.	7	Furnishing particulars about the Mill.	Superintendent of Central Excise.
2.	8	Submission of monthly returns.	—do—
3.	9 (1) & 9 (2)	Collection of Cess.	—do—
4.	12(a), (b) & (c)	Recovery of sums due	—do—
5.	13 (1) & (2)	Powers to inspect Mills etc.	Officers not below the rank of Inspectors of Central Excise.
	18	Composition of	Assistant Collector of Central Excise.

No. 2/72

A. S. I. JAFFAR Collector.

समाहर्ता कार्यालय केन्द्रीय उत्पाद शुल्क

गुन्टर, 17 नवम्बर, 1972

केन्द्रीय उत्पाद शुल्क

का.आ. 5244.—1966 के उत्पाद उपशुल्क अधिनियम की धारा 2(क) के अधीन प्रदत्त शक्तियों का प्रयोग करते हुए, मैं एतद्वारा, इसके साथ उपाबद्ध सारणी के स्तम्भ 4 में उल्लिखित केन्द्रीय उत्पाद शुल्क के अधिकारियों को अपने-अपने अधिकार क्षेत्र में, स्तम्भ 2 में बताई गयी उत्पाद उपशुल्क अधिनियम की धारा के अंतर्गत उक्त सारणी के स्तम्भ 3 में दी गयी सीमाओं तक, समाहर्ता की शक्तियों का प्रयोग प्राधिकृत करता हूँ।

सारणी

क्रम सं०	1966 के केन्द्रीय उत्पाद उपशुल्क अधिनियम की संगत धारा	निम्नांकित बातों के सम्बंध में	केन्द्रीय उत्पादन शुल्क के उन अधिकारियों के नाम जिन्हें अधिकार प्रत्यायोजित किए जाते हैं
1	7	मिल के संबंध में दिए जाने वाला वितरण	अधिकृत, केन्द्रीय उत्पाद शुल्क
2	8	मासिक विवरणों का प्रस्तुतीकरण	यथोपरि
3	9 (1) और 9 (2)	उपशुल्क एकत्र करना	यथोपरि
4	22 (क) (ख) और (ग)	वेय राशि की वसूली	यथोपरि
5	13 (1) और (2)	मिलों का निरीक्षण करने का अधिकार	वे अधिकारी जो निरीक्षक से नीचे पद के नहीं हैं।
6	18	घपरायों का प्रथमन	सहायक समाहर्ता, केन्द्रीय उत्पाद शुल्क

[सं० 2/72]

[ए० एम० आई० जफर समाहर्ता]

MINISTRY OF FOREIGN TRADE

New Delhi, the 16th December, 1972

ORDER

S.O. 5245.—Whereas for the development of the export trade of India certain proposals for amending the notification of the Government of India in the late Ministry of Commerce No. S.O. 491 dated the 11th February, 1966 were published as required by sub-rule (2) of rule 11 of the Export (Quality Control and Inspection) Rules, 1964 at pages 2553-2555 of the Gazette of India, Part II, Section 3, Sub-section (ii) dated the 7th August, 1971, with the notification of the Government of India in the Ministry of Foreign Trade No. S.O. 2915 dated the 7th August, 1971;

And whereas objections and suggestions were invited till the 5th September, 1971 from persons likely to be affected thereby;

And whereas the said Gazette was made available to the public on the 7th August, 1971;

And whereas the objections and suggestions received from the public on the said draft have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 6 of the Export (Quality Control and Inspection) Act, 1963 (22 of 1963), the Central Government after con-

sulting the Export Inspection Council, is of opinion that it is necessary and expedient so to do for the development of the export trade of India, hereby makes the following amendment in the notification of the Government of India in the late Ministry of Commerce No. S.O. 491 dated the 11th February, 1966, namely:—

In the said notification, before paragraph 2, the following paragraph shall be inserted, namely:

"1A. Nothing in this Order shall apply to export by sea, land or air of samples of frozen froglegs to prospective buyers, provided that such samples are not in excess of five kilogrammes net drained weight."

[No. 6(9)/71-EI&EP]

M. K. B. BHATNAGAR, Dy. Director.

विदेश व्यापार मंत्रालय

नई दिल्ली, 16 दिसम्बर, 1972

आदेश

का.आ. 5245.—यतः भारत के निर्यात व्यापार के विकास के लिए भारत सरकार के भूतपूर्व वाणिज्य मंत्रालय की अभिसूचना संख्या का.आ. 491, ता. 11 फरवरी, 1966 में संशोधन करने के लिए कतिपय प्रस्ताव, निर्यात (अन्विलिटी नियंत्रण और निरीक्षण) नियम, 1964 के नियम 11 के उपनियम (2) द्वारा यथाअपीक्षित, भारत के राजपत्र, भाग 2, खण्ड 3, उप-खण्ड (2), तारीख 7 अगस्त, 1971 के पृष्ठ 2553-2555 पर भारत सरकार के विदेश व्यापार मंत्रालय की अधिसूचना सं. का. आ. 2915, ता. 7 अगस्त, 1971 के साथ प्रकाशित किए गए थे;

और यतः तद्वारा संभावित प्रभावित होने वाले सभी व्यक्तियों से 5 सितम्बर, 1971 तक आक्षेप और सुझाव मांगे गए थे;

और यतः उक्त राजपत्र जनता को 7 अगस्त, 1971 को उपलब्ध करा दिया गया था;

और यतः उक्त प्रारूप पर जनता से प्राप्त आक्षेपों और सुझावों पर केन्द्रीय सरकार ने विचार कर लिया है;

अतः, अब, निर्यात (अन्विलिटी नियंत्रण और निरीक्षण) अधिनियम, 1963 (1963 का 22) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा निर्यात निरीक्षण परिषद से परामर्श करने के पश्चात् केन्द्रीय सरकार की यह राय है कि भारत के निर्यात व्यापार के विकास के लिए ऐसा करना आवश्यक तथा समीचीन है, एतद्वारा भारत सरकार के भूतपूर्व वाणिज्य मंत्रालय की अधिसूचना सं. का.आ. 491, ता. 11 फरवरी, 1966 में निम्नलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, पैरा 2 के पहले, निम्नलिखित पैरा अन्तः स्थापित किया जाएगा;

"1. क. इस आदेश की कोई भी बात भाषी कलाओं को समुद्रमार्ग, भू-मार्ग या वायु-मार्ग द्वारा प्रेषित नमूनों की टांगों के नमूनों के निर्यात पर लागू नहीं होगी, परन्तु यह तब जबकि ऐसे नमूनों का बिना पानी के कुल वजन पांच किलोग्राम से अधिक न हो।"

[सं. 6(9)/71-नि.नि. तथा नि सं.]

एम. के. बी. भटनागर, उप-निदेशक (निर्यात संशोधन)।

MINISTRY OF PETROLEUM AND CHEMICALS
(Department of Petroleum)

New Delhi, the 6th December, 1972

S.O. 5246.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from D. S. NKV to Kadi-1 Pipelines should be laid by the Oil & Natural Gas Commission;

AND WHEREAS it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in land described in the schedule annexed hereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (i) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority, Oil & Natural Gas Commission, Construction & Maintenance Division, Makarpura Road, Baroda-9.

AND every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

[No. 11/1/70-L&L]

SCHEDULE
PIPELINE FROM NKV TO KADI-1

State : Gujarat	Dist : Mehsana	Tal : Mehsana		
Village	Survey No.	Hectare	Area	P. Area
Mehmadpura	104	0	11	12
	127/1	0	3	03
	128/1	0	4	80
	134	0	4	80
	133	0	8	09
	136	0	10	61
	132	0	1	51
	140	0	4	04
	141	0	4	04
	144/1	0	07	08
	146	0	6	07
	147	0	5	05
	150	0	9	10
	151	0	4	04
	155/1	0	3	53
	155/2	0	4	04
	157	0	8	09
	156	0	3	03
	160	0	10	11
	163	0	19	25
	164	0	9	10
	Cart track ...	0	83	00

पेट्रोलियम और रसायन मंत्रालय

(पेट्रोलियम विभाग)

नई दिल्ली, 6 दिसम्बर, 1972

का. आ. 5246.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि लोकीहत में यह आवश्यक है कि गुजरात राज्य में डी एस एन के बी से काडी-1 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन सेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसे लाइनों को बिछाने के प्रयोजन के लिए एतद्पाबद्ध अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए

केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्द्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष-प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड बरोदा-9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की मर्फत।

[सं. 11/1/70 लेकर एण्ड लेजिस]

एन के बी से काडी-1 तक पाइपलाइन

राज्य : गुजरात	जिला : महसना	तालुका : महसना		
गांव	सर्वेक्षण संख्या	हफ्टर ई	ए धार ई	पी ए धार ई
महमादपुर	104	0	11	12
	127/1	0	3	03
	128/1	0	4	80
	134	0	4	80
	133	8	8	09
	136	0	10	61
	132	0	1	51
	140	0	4	04
	141	0	4	04
	144/1	0	07	08
	146	0	6	07
	147	0	5	05
	150	0	9	10
	151	0	4	04
	155/1	0	3	53
	155/2	0	4	04
	157	0	8	09
	156	0	3	03
	160	0	10	11
	163	0	19	25
	164	0	9	10
	कार्ट ट्रैक	0	83	00

S.O. 5247.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum from D. S. NKT to Kadi-1 Pipelines should be laid by the Oil & Natural Gas Commission;

AND WHEREAS it appears that for the purpose of laying such Pipelines, it is necessary to acquire the Right of User in the land described in the schedule annexed hereto;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (i) of the section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

PROVIDED THAT any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the

Competent Authority, Oil & Natural Gas Commission, Construction & maintenance Division, Makarpura Road, Baroda-9.

AND every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

Pipeline from D. S. Nkt to Kadi—I

State/Gujarat	Dist/Mehsana	Tal	Kadi	
Village	Survey No.	Hectare	Area	P. Are
Mojan	156	0	3	50
	154	0	8	00
	153	0	6	00
Suraj	674	0	1	00
Cart track between				
S. No. 153 & 675	675	0	1	00
		0	17	76
	701	0	15	60
	700/1	0	16	56
	694	0	8	88
	696	0	9	72
Cart track				
between S.				
No. 696 &				
	48	0	2	88
Chalasan	48/3	0	5	00

[No. 11/1/70-L&L.]

का. आ. 5247.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि गुजरात राज्य में ही एस एन के टी से काडी 1 तक पेट्रोलियम के परिवहन के लिए पाइपलाइन तेल तथा प्राकृतिक गैस आयोग द्वारा बिछाई जानी चाहिए।

और यतः यह प्रतीत होता है कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में वर्णित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है।

अतः अब, पेट्रोलियम पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

बशर्ते कि उक्त भूमि में हितबद्ध कोई व्यक्ति, उस भूमि के नीचे पाइपलाइन बिछाने के लिए आक्षेप समक्ष-प्राधिकारी, तेल तथा प्राकृतिक गैस आयोग, निर्माण और देखभाल प्रभाग, मकरपुरा रोड बरोडा 9 को इस अधिसूचना की तारीख से 21 दिनों के भीतर कर सकेगा।

और ऐसा आक्षेप करने वाला हर व्यक्ति विनिर्दिष्ट: यह भी कथन करेगा कि क्या वह चाहता है कि उसकी सुनवाई व्यक्तिशः हो या किसी विधि व्यवसायी की मार्फत।

21 G of 1/72—5.

अनुसूची

डी० एस०एन०के०टी० से काडी—I तक पाइपलाइन

राज्य: गुजरात जिला: मेहसाणा तालुका: काडी

गांव	सर्वेक्षण सं०	हेक्टर	ए.प्रार. ई	पी.प्रार. ई
मोयन	156	0	3	50
	154	0	8	00
	153	0	6	00
सुरज	674	0	1	00
सर्वेक्षण संख्या 153 तथा 675 के बीच कार्ट ट्रैक				
		0	1	00
	675	0	17	76
	701	0	15	60
	700/1	0	16	56
	694	0	8	88
	696	0	9	72
सर्वेक्षण सं० 696 से 48 के बीच कार्ट ट्रैक		0	2	88
चालासन	48/3	0	5	00

[सं. 11/1/70-लेबर एण्ड लेजिस]

The 13th December, 1972

S. O. 5248—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum Products between the Haldia Port (District-Midnapore) and Rajbandh Delivery Point (District Budwan) of Indian Oil Corporation Limited (Pipelines) in West Bengal State, pipelines should be laid by the Indian Oil Corporation Limited (Pipelines) and that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed hereto :

Now, therefore, in exercise of the powers conferred by sub-section(1) of Section 3 of the Petroleum pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of user therein.

Any person interested in the said land may within 21 (twenty-one) days from the date of this Notification object to the laying of pipelines under the land, to Competent Authority at 14, Lee Road, Calcutta-20, in the office of the Indian Oil Corporation Limited (Pipelines). Every person making such an objection shall also states specifically whether he wishes to be heard in person or by legal practitioner.

[No. 11/5/71-Lab. & Legis/I]

SCHEDULE

Police Station: Chanditala, District: Hooghly (West Bengal)

Name of Mouze Plot No.	Extent (Area)		Description of land.	
	in acres	In acres		
Gangadharpur	3497	0.07	2.83	Middle
J. L. 63		[No. 11/5/71-Lab & Legis/1]		

[No. 11/5/71-Lab & Legis/I]

13 दिसम्बर, 1972

SCHEDULE

Police Station DOMJUR District HOWRAH (West Bengal)

Name of Mouza Plot No.	Extent		Description of land
	in acres	in acres	
Makardah J. L. 34	313	0.15 6.07	Middle

क्र० प्रा० 5248—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि हल्दिया पोर्ट (जिला मिदनापुर) और पश्चिम बंगाल राज्य में भारतीय तेल निगम (पाइपलाइन) के राजबन्ध वितरण केन्द्र (जिला बरदवान) के बीच पेट्रोलियम उत्पादों के परिवहन के लिये पाइपलाइन भारतीय तेल निगम (पाइप लाइन) द्वारा बिछाई जानी चाहिए और कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में बंजित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब, पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

उक्त भूमि से हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप भारतीय तेल निगम लि० (पाइप लाइन) के कार्यालय में सक्षम प्राधिकारी, 14 ली रोड, कलकत्ता 20 को इस अधिसूचना की तारीख से 21 (इक्कीस) दिनों के भीतर कर सकेगा। ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

[संख्या 11/5/71 लेबर एण्ड लेजिस/1]

अनुसूची

पुलिस स्टेशन, खन्दीवाला, जिला हुगली (पश्चिम बंगाल)

मौजा का नाम	प्लॉट संख्या	सीमा (क्षेत्र)		भूमि का विवरण
		एकड़ों में	एकड़ों में	
गंगाधरपुर	3497	0.07	2.83	मध्य
जे० एल० 63				

S. O. 5249.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum products between the Haldia Port (District Midnapore) and Rajbandh Delivery Point (District Burdwan) of Indian Oil Corporation Limited (Pipelines) in West Bengal State, pipelines should be laid by the Indian Oil Corporation Limited (Pipelines) and that for the purpose of laying such pipelines, it is necessary to acquire the right of user in the land described in the Scheduled given below.

Now, therefore, in exercise of the powers conferred by sub-section (i) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962) the Central Government hereby declares its intention to acquire the right of use therein.

Any person interested in the said land may within 21 days from the date of this Notification object to the laying of pipelines under the land, to Competent Authority at 14, Lee Road, Calcutta-20, in the office of the Indian Oil Corporation Limited (Pipelines). Every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

[No. 11/5/71-Lab. & Legis/I]

R. N. CHOPRA, Under Secy.

क्र० प्रा० 5248—यह केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में यह आवश्यक है कि हल्दिया पोर्ट (जिला मिदनापुर) और पश्चिम बंगाल राज्य में भारतीय तेल निगम (पाइप लाइन) के राजबन्ध वितरण केन्द्र (जिला बरदवान) के बीच पेट्रोलियम उत्पादों के परिवहन के लिये पाइप लाइन भारतीय तेल निगम (पाइप लाइन) द्वारा बिछाई जानी चाहिए और कि ऐसी लाइनों को बिछाने के प्रयोजन के लिए एतद्वारा अनुसूची में बंजित भूमि में उपयोग का अधिकार अर्जित करना आवश्यक है;

अतः अब, पेट्रोलियम पाइप लाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुये केन्द्रीय सरकार ने उसमें उपयोग का अधिकार अर्जित करने का अपना आशय एतद्वारा घोषित किया है।

उक्त भूमि से हितबद्ध कोई व्यक्ति उस भूमि के नीचे पाइप लाइन बिछाने के लिए आक्षेप भारतीय तेल निगम लि० (पाइप लाइन) के कार्यालय में सक्षम प्राधिकारी, 14 ली रोड, कलकत्ता 20 को इस अधिसूचना की तारीख से 21 (इक्कीस) दिनों के भीतर कर सकेगा। ऐसा आक्षेप करने वाला हर व्यक्ति विनिश्चितः यह भी कथन करेगा कि क्या वह यह चाहता है कि उसकी सुनवाई व्यक्तिगत हो या किसी विधि व्यवसायी की मार्फत।

[संख्या 11/5/71 लेबर एण्ड लेजिस II]

धार० एन० चोपड़ा, अवर सचिव

अनुसूची

पुलिस स्टेशन डोमजूर जिला हावड़ा (पश्चिम बंगाल)

मौजा का नाम	प्लॉट संख्या	सीमा		भूमि का विवरण
		एकड़ों में	एकड़ों में	
मकरडाह ज० एल० 34	313	0.15	6.07	मध्य

DEPARTMENT OF SCIENCE & TECHNOLOGY

New Delhi, the 30th November, 1972

ORDER

S.O. 5250.—In exercise of the powers conferred by sub-rule (2) of rule 9, clause (b) of sub-rule (2) of rule 12 and sub-rule (1) of rule 24 of the Central Civil Services (Classification, Control and Appeal) Rules, 1965, the President hereby directs that, in respect of the posts in the General Central Service, Class III and Class IV of the Survey of India specified in column 1 of the Schedule hereto attached, the authority specified in column 2 shall be the appointing authority and the authorities specified in columns 3 and 5 shall be the disciplinary authority and the appellate authority, respectively, in regard to the penalties specified in column 4.

[No. 18-50/72-Sur. I.]

KAMAL PANDE, Under Secy.

SCHEDULE

Description of post	Appointing authority	Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 11)	Appellate authority	
		Authority	Penalties	
1	2	3	4	5
Part I <i>General Central Service -- Class III, Survey of India</i>				
1. Superintendent Surveyor General's Office	Surveyor General of India.	(i) Surveyor General of India (ii) Deputy Surveyor General	All (i) to (iv)	Secretary in the Department/Ministry, Surveyor General India.
2. All posts (other than Superintendent, Surveyor General's Office)	Head of Circle/Directorate/Branch/Institute/Centre/Plant/Deputy Surveyor General/Director Survey (Air)	(i) Head of Circle/Directorate Branch/Institute/Centre/Plant/Deputy Surveyor General/Director Survey (Air)/Dean, Senior/Selection Grade Directors and directors, ordinary grade. (ii) Head of Office (not below the rank of Deputy Superintending Surveyor-in-Charge/Deputy Stores Officer / Officer-in-Charge, Map Record and Issue Office).	All (i) to (iv)	Surveyor General of India. Head of Circle/Directorate/Branch/Institute Centre/Plant/Deputy Surveyor General/Director Survey (Air)

Description of Post	Appointing authority		Authority competent to impose penalties and penalties which it may impose (with reference to item numbers in rule 11)	Appellate authority.	
			Authority	Penalties	
1	2	3	4	5	
Part II General Central Service Class IV Survey of India					
1. Posts in the Surveyor General's Office	Assistant General	Surveyor	(i) Assistant Surveyor General (ii) Head of Office/Registrars (Surveyor General's Office Budget and Accounts Officer (Surveyor General Office))	All (i) to (iv)	Deputy Surveyor General. Assistant Surveyor General
2. Posts other than posts in the Surveyor General's Office.	Head of Office (not below the rank of Deputy Superintending Surveyor-in-Charge/Deputy Stores Officer/ Officer-in-Charge, Map Record and Issue Office		(i) Head of Office (not below the rank of Deputy Superintending Surveyor-in-Charge/Deputy Stores Officer-in-Charge, Map Record and Issue Office). (ii) Establishment and Accounts Officers.	All (i) to (iv)	Head of Circle/Directorate/Branch/Institute Centre/Plant/Deputy Surveyor General/Director Survey (Air) /Dean, Senior/Selection Grade Directors and Directors Ordinary Grade. Deputy Director of the Circle Office/Institute/Directorate Branch/Centre/Plant concerned and Officer-in-Charge, Map Record and Issue Office in the case of Map Record and Issue Office.

विज्ञान और प्रौद्योगिकी विभाग

नई दिल्ली, 30 नवम्बर, 1972

आदेश

का. आ. 5250.—राष्ट्रपति, केन्द्रीय सिविल सेवा (वर्गीकरण, नियंत्रण और अपील) नियम 1965 के नियम 9 के उपनियम (2), नियम 12 के उपनियम (2) के खण्ड (ख) और नियम 24 के उपनियम (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए

एतद्वारा निर्देश दत्त है कि इससे संलग्न अनुसूची के स्तम्भ 1 में विनिर्दिष्ट भारतीय सर्वेक्षण विभाग की साधारण केन्द्रीय सेवा, वर्ग 3 और वर्ग 4 के पदों के संबंध में स्तम्भ 2 में विनिर्दिष्ट प्राधिकारी नियुक्त प्राधिकारी होगा और स्तम्भ 3 और 5 में विनिर्दिष्ट प्राधिकारी स्तम्भ 4 में विनिर्दिष्ट प्राधिकारी स्तम्भ 4 में विनिर्दिष्ट शक्तियों के विषय में क्रमशः अनुशासन-प्राधिकारी व अपील प्राधिकारी होंगे।

[सं. 18-50/72-सर्व 1.]

कमल पाण्डे, अवर सचिव।

अनुसूची

भाग i — साधारण केन्द्रीय सेवा—वर्ग III

भारतीय सर्वेक्षण

पद का विवरण	नियुक्ति प्राधिकारी	शास्त्रियां अधिरोपित करने में सक्षम प्राधिकारी और वे शास्त्रियां जिन्हें वह अधिरोपित कर सकेगा (नियम 11 की सब संख्याओं के संदर्भ में)	अधीन प्राधिकारी	
		प्राधिकारी	शास्त्रियां	
1	2	3	4	5
1. अधीक्षक, महासर्वेक्षक-कार्यालय	महासर्वेक्षक भारत	(i) महासर्वेक्षक भारत (ii) उपमहासर्वेक्षक	सभी (i) से (iv)	विभाग मंत्रालय में संबंधित महासर्वेक्षक भारत
2. सभी पद (महासर्वेक्षक कार्यालय के अधीक्षकों से भिन्न)	मकिल, निदेशालय, शाखा, भू-स्थान, केन्द्र, संयंत्र के प्रधान, उप-महासर्वेक्षक, निदेशक सर्वे (हवाई)	(i) मकिल, निदेशालय, शाखा, सभी संस्थान, केन्द्र, संयंत्र के प्रधान, उपमहासर्वेक्षक, निदेशक सर्वे (हवाई), डीन, वरिष्ठ ज्यूनियर, निदेशक व निदेशक साधारण ग्रेड (ii) कार्यालय का प्रधान उप-अधीक्षक, सर्वेक्षक भारसाधक, उप-भंडार अधिकारी, प्रभारी अधिकारी, मानचित्र अभिलेख एवं निर्गम कार्यालय के पद से नीचे के नहीं)	(i) से (iv)	महासर्वेक्षक भारत मकिल, निदेशालय, शाखा, संस्थान, केन्द्र, संयंत्र के प्रधान, उप-महासर्वेक्षक निदेशक सर्वे (हवाई)

भाग ii — साधारण केन्द्रीय सेवा—वर्ग IV

1	2	3	4	5
1. महासर्वेक्षक कार्यालय के पद	महासर्वेक्षक	(i) महासर्वेक्षक (ii) कार्यालय का प्रधान, रजिस्ट्रार (महासर्वेक्षक कार्यालय) बजट एवं लेखाधिकारी (महासर्वेक्षक कार्यालय)	सभी (i) से (iv)	उप-महासर्वेक्षक महासर्वेक्षक
2. महासर्वेक्षक के कार्यालय के पदों से भिन्न	कार्यालय का प्रधान (उप-अधीक्षक सर्वेक्षक भारसाधक, उप-भंडार अधिकारी, भार साधक अधिकारी, मानचित्र अभिलेख एवं निर्गम कार्यालय के पद से नीचे के नहीं)	(i) कार्यालय का प्रधान (उप-अधीक्षक सर्वेक्षक भारसाधक, उप-भंडार अधिकारी, भारसाधक अधिकारी, मानचित्र अभिलेख एवं निर्गम कार्यालय के पद से नीचे के नहीं) (ii) स्थापना और लेखा अधिकारी	सभी (i) से (iv)	मकिल, निदेशालय, शाखा, संस्थान केन्द्र, संयंत्र के प्रधान, उप महासर्वेक्षक, निदेशक संदर्भ (हवाई), डीन, वरिष्ठ, ज्यूनियर ग्रेड निदेशक व निदेशक साधारण ग्रेड सम्बन्धित मकिल, संस्थान निदेशालय शाखा, केन्द्र, संयंत्र आदि के उपनिदेशक और मानचित्र अभिलेखा एवं निर्गम कार्यालय के संबंध में भारसाधक अधिकारी, मानचित्र अभिलेख एवं निर्गम कार्यालय।

MINISTRY OF TOURISM AND CIVIL AVIATION

New Delhi, the 13th December, 1972

S.O. 5251.—In exercise of the powers conferred by Section 4 of the Air Corporations Act, 1953 (27 of 1953) the Central Government hereby appoints Shri N H Dastur, Commercial Director, Air-India, as Director on the Board of Air-India with immediate effect and until further orders.

[No. A V 18013/3/71-AC]

N. SAHGAL, Secy.

पर्यटन और नागर विमानन मंत्रालय

नई दिल्ली, 13 दिसम्बर, 1972

कां० 5251—वायु निगम अधिनियम, 1953 (1953 का 27) की धारा 4 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एयर इंडिया के वाणिज्यिक निदेशक, श्री एन० एच० दस्तूर को तत्काल तथा अग्रगण्य आदेशों तक एयर इंडिया के बोर्ड का निदेशक नियुक्त करती है।

[सं० ए० बी०—18013/3/71-ए०सी०]

एन० सहगल, सचिव

MINISTRY OF SHIPPING AND TRANSPORT
(Transport Wing)

New Delhi, the 7th December, 1972

MERCHANT SHIPPING

S.O. 5252.—In exercise of the powers conferred by rule 5 of the Indian Merchant Shipping (Seamen's Employment Office, Bombay) Rules, 1954, the Central Government hereby re-constitutes the Seamen's Employment Board (Foreign-going), Bombay for a period of two years, with effect from the date of publication of this notification, with the following members, namely :—

1. The Director General of Shipping, Bombay.

2. The Deputy Director General of Shipping, Incharge of Seamen's Employment Offices.

3. The Labour Commissioner, Bombay.

4. Director, Seamen's Employment Office, Bombay.

5. The Shipping Master, Bombay.

6. The Principal, Seamen's Welfare Office, Bombay.

Members representing the Government.

7. Shri N. Latif

8. Shri D. S. Kumana

9. Shri T. S. Narayan

10. Capt. D. Houghton

11. Capt. A. P. Antia

12. Capt. R. D. Kohli

Members representing the Shipowners.

13. Shri K. K. Khadilkar

14. Shri Leo Barnes

15. Shri Mohideen Bawa

16. Shri U. M. Almeida

17. Shri M. Moidoo

18. Shri Yakub Serang

Members representing the seamen.

The Director General of Shipping and the Deputy Director General of Shipping, Incharge of Seamen's Employment Office, Bombay, shall respectively, be the Chairman and the Vice-Chairman of the Board.

The Director, Seamen's Employment Office, Bombay shall act as the Secretary of the Board.

[F. No. 15-MT(2)/72]

V. V. SUBRAHMANYAM, Deputy Secretary

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 7 दिसम्बर 1972

(व्यापारी बेड़ा)

कां० 5252—भारतीय व्यापारी बेड़ा (नाविक रोजगार कार्यालय बम्बई) नियम 1954 के नियम 5 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा इस अधिसूचना के प्रकाशन की तारीख से दो वर्ष के लिए नाविक रोजगार बोर्ड (विदेशी गामी) बम्बई का पुनर्गठित करती है, जिसमें निम्नलिखित सदस्य होंगे, अर्थात् :—

1. महानिदेशक, नौवहन, बम्बई

2. उप-महानिदेशक नौवहन नाविक रोजगार कार्यालयों के कार्यकारी ।

3. श्रम आयुक्त बम्बई ।

4. निदेशक नाविक रोजगार कार्यालय बम्बई ।

5. शिपिंग मास्टर बम्बई ।

6. मुख्य नाविक कल्याण अधिकारी बम्बई ।

7. श्री एन० लतीफ ।

8. श्री डी०एम० कुमाना ।

9. श्री टी०एम० नारायण ।

10. कैप्टन डी० होटन ।

11. कैप्टन ए०पी० आन्टिया ।

12. कैप्टन आर०डी० कोहली ।

13. श्री के०के० खाडिलकर ।

14. श्री ल्यो बोनस ।

15. श्री महोद्दीन बावा ।

16. श्री यू०एम० प्रल्मीदा ।

17. श्री एम० मयदु ।

18. श्री याकूब सेरंग ।

सरकार के प्रतिनिधित्व करने वाले सदस्य

जहाज मालिकों के प्रतिनिधित्व करने वाले सदस्य ।

नाविकों के प्रतिनिधि सदस्य

महानिदेशक नौवहन और उप-महानिदेशक नौवहन जोकि नाविक रोजगार कार्यालय, बम्बई के कार्यकारी अधिकारी हैं क्रमशः बोर्ड के अध्यक्ष और उप-अध्यक्ष होंगे ।

निदेशक, नाविक रोजगार कार्यालय बम्बई बोर्ड के सचिव के रूप में कार्य करेंगे ।

[का० सं० 15-एम० टी० (2)/72]

वि०वि० सुब्रह्मण्यम, उप-सचिव

New Delhi, the 8th December, 1972.

S.O. 5253.—In exercise of the powers conferred by sub-section (1) of section 5 of the Road Transport Corporation Act, 1950 (64 of 1950), the Central Government hereby appoints Shri Gorakh Ram, Director of Transport, Delhi, as a Member of the Delhi Transport Corporation, vice Shri S. C. Pandey, and makes the following further amendment in the Notification of the Government of India in the Ministry of Shipping and Transport No. S. O. 5083 dated the 3rd November, 1971, namely :—

In the said notification, for item 4 and the entries relating thereto, the following item and entries shall be substituted, namely,

"4. Shri Gorakh Ram, Director of Transport, Delhi."

[No. 15-FAG. (18)/72.]

N. A. A. NARAYANAN, Under Secy.

नौवहन और परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 8 दिसम्बर, 1972

का. आ. 5253.—सड़क परिवहन निगम अधिनियम, 1950 (1950 का 64) धारा 5 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री एस. सी. पांडे के स्थान पर, दिल्ली के परिवहन निवेशक श्री गोरख राम को दिल्ली परिवहन निगम का सदस्य नियुक्त करती हैं और भारत सरकार के नौवहन और परिवहन मंत्रालय की अधिसूचना सा. आ. 5083 दिनांक 3 नवम्बर, 1971 में और निम्नलिखित संशोधन करती हैं, अर्थात् :—

उक्त अधिसूचना में मद् 4 तद्विषयी प्रविष्टियों के स्थान पर निम्नलिखित मद् और प्रविष्टियाँ प्रतिस्थापित की जायेंगी अर्थात् :—

“4. श्री गोरखराम, परिवहन निवेशक, दिल्ली”

[संख्या : 15 टी ए जी (18)/72]

एन. ए. ए. नारायणन, अवर सचिव

MINISTRY OF COMMUNICATIONS

(P. & T. Board)

New Delhi, the 13th December, 1972

S.O. 5254.—In pursuance of para (a) of Section III of Rule 434 of Indian Telegraph Rules, 1951, as introduced by S. O. No. 627 dated 8th March, 1960, the Director General, Posts and Telegraphs, hereby specifies the 1st January, 1973 as the date on which the Measured Rate System will be introduced in Kattur Telephone Exchange connected with Irinjalakuda Telephone System, Kerala Circle.

[No. 5-38/72-PHB(23)]

A. S. VOHRA, Assistant Director General (PHB)

संचार मंत्रालय

(डाक-तार बोर्ड)

नई दिल्ली, 13 दिसम्बर, 1972

का. आ. 5254.—स्थायी आदेश संख्या 027 दिनांक 8 मार्च, 1960 द्वारा लागू किए गए भारतीय तार नियमावली 1951 के नियम 434 के खण्ड 3 के पैरा (क) के अनुसरण में महानिदेशक, डाक-तार ने कर्ल सर्कल में इरिन्जल कुडा टेलीफोन प्रणाली के अंतर्गत कट्टूर टेलीफोन एक्सचेंज में प्रमाणित वर प्रणाली चालू करने की तारीख 1-1-1973 निश्चित की है।

[सं. 5-38/72-पी एच बी (23)]

ए. एस. वोहरा, सहायक महानिदेशक (पी एच बी)।

MINISTRY OF WORKS AND HOUSING

New Delhi, the 5th December, 1972

S.O. 5255.—In exercise of the powers conferred by section 3, read with section 20 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby makes the following amendment to the notification of the Government of India in the Ministry of Health and Family Planning and Works, Housing and Urban Development, Department of Works, Housing and Urban Development, Directorate of Estates, No. 1627, dated the 24th April, 1969, namely:—

In the said notification in the Table against Serial No. 1, in column (1), for the entry the following entry shall be substituted, namely:—

“Administrative Officer (Establishment), Rajasthan Atomic Power Project, Plant Site, Post Office Anushakti, via Kota (Rajasthan)”.

[F. No. 21012(6)/69-Pol. III]

निर्माण और आवास मंत्रालय

नई दिल्ली, 5 दिसम्बर, 1972

का. आ. 5255.—लोक परिसर (अप्राधिकृत अधिभोगियों की बंदखली) अधिनियम, 1971 (1971 का 40) की धारा 20 के साथ परिचित धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारत सरकार के स्वास्थ्य और परिवार नियोजन तथा निर्माण, आवास और नगर विकास मंत्रालय के निर्माण, आवास और नगर विकास विभाग के सम्पदा निवेशालय की अधिसूचना सं. 1627, तारीख 24 अप्रैल, 1969 में एतद्वारा निम्नलिखित संशोधन करती हैं, अर्थात् :—

उक्त अधिसूचना में, सारणी में, क्रम सं. 1 के सामने, स्तम्भ (1) में, प्रविष्टि के स्थान पर, निम्नलिखित प्रविष्टि प्रतिस्थापित की जाएगी, अर्थात् :—

“प्रासासन अधिकारी (स्थापन), राजस्थान परमाणु शक्ति परियोजना, प्लांट साइट, आकबर अणुशक्ति, बरास्ता कोटा (राजस्थान)”।

[फा. सं. 21012(6)/69-नीति-3]

S.O. 5256.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971), the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being gazetted officer of Government, to be estate officer for the purposes of the said Act, and further directs that the said officer shall exercise the powers conferred, and perform the duties imposed, on the estate officers by or under the said Act, within the limits of his jurisdiction in respect of public premises specified in column (2) of the said Table.

THE TABLE

Designation of the officer	Categories of public premises and local limits of jurisdiction
1	2
Deputy Secretary (Administration) Government of India, Ministry of External Affairs, New Delhi.	External Affairs' Hostel, Curzon Road, New Delhi.

[F.No. 21012(11)/72-Pol.III]

का. आ. 5256.—लोक परिसर (अप्राधिकृत अधिभोगियों की बंदखली) अधिनियम, 1971 (1971 का 40) की धारा 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, नीचे की सारणी के स्तम्भ (1) में वर्णित अधिकारियों को, जो सरकार का राजपत्रित अधिकारी हैं, उक्त अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी के रूप में एतद्वारा नियुक्त करती हैं, और यह और निदेश देती हैं कि उक्त अधिकारी, उक्त सारणी के स्तम्भ (2) में विनिर्दिष्ट लोक परिसरों की बाबत अपनी अधिकारिता की सीमाओं के भीतर, उक्त अधिनियम द्वारा या उसके अधीन

2

[फा० स० 21012 (17)/72 नीति-3]

S.O. 5259.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971) and in supersession of the notification of the Government of India in the late Ministry of Works, Housing and Supply No. S.O. 2669 dated the 27th October, 1960, the Central Government hereby appoints the officer mentioned in column (1) of the Table below, being gazetted officer of Government, to be estate officer for the purposes of the said Act, and further directs that he shall exercise the powers conferred, and perform the duties imposed, on an estate officer by or under the said Act, within the limits of his jurisdiction in respect of the public premises specified in column (2) of the said Table.

THE TABLE

Designation of the officer	Categories of public premises and local limits of jurisdiction.
1	2
Administrative Officer in the lady Hardings Medical College and Hospital, New Delhi.	All lands and buildings belonging to Government within the campus of the lady Harding Medical College and Hospital bounded on all sides by main roads as follows:— North—Punchkuin Road. South—Lady Hardinge Road. East—Connaught Circus. West—Baird Road.

[F. No. 21012(15)/72-Pol.III]

R. B. SAXENA, Dy Director of Estates and Ex-Officio Under Secy

का० आ० 5259 लोक परिसर (प्राप्राधिकृत अधिकारियों की देखरेखी) अधिनियम 1971 (1971 का 40) की धारा 3 द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के भूतपूर्व निर्माण, धावाय और पूर्तिमंत्रालय की अधिसूचना सं० का. आ. 2669 तारीख 27 अक्टूबर, 1960 को प्रतिष्ठित करने हुए, केन्द्रीय सरकार, नोबे की मारणी के स्तम्भ (1) में वर्णित अधिकारी को, जो सरकार का राजपत्रित अधिकारी है, उसका अधिनियम के प्रयोजनों के लिए सम्पदा अधिकारी के रूप में एतद्वारा नियुक्त करती है, और यह और निदेश देती है कि वह उसका मारणी के स्तम्भ (2) में विनिर्दिष्ट लोक परिसरों की बाबत अपनी अधिकारिता की सीमाओं के भीतर उसका अधि-

The 12th December, 1972

ORDER

S. O. 5261.—In pursuance of the directions issued under the provisions of the enactments specified in the First Schedule annexed hereto the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the second Schedule annexed hereto in all its/their language versions to be of the descriptions specified against it/each in column 6 of the said Second Schedule.

- (1) Sub-Section (4), of the Section 12 and Section 16 of the Cinematograph Act, 1952 (Central Act XXXVII of 1952).
- (2) Sub-Section (3) of Section 5 and Section 9 of the Bombay Cinemas (Regulation) Act, 1953 (Bombay Act XI of 1953).

THE SECOND SCHEDULE

S.No.	Title of the film	Length 35 mm	Name of the Applicant / Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news current events or a documentary film.
1	2	3	4	5
(1)	Aisee Akshare Melveen	300 Metres	Directorate of Publicity Government of Maharashtra, Films Centre 68 Tradeo Road, Bombay-34.	(For release in Maharashtra Circuit only) Films intended for Educational purposes.

[F.No. 28/1/72-FP App. 1736]

नियम द्वारा या उसके अधीन किसी सम्पदा अधिकारी को प्रवृत्त शक्तियों का प्रयोग करेगा और उस पर अधिरोपित कानूनों का पालन करेगा।

मारणी

अधिकारी का प्राधिकार लोक परिसरों के प्रवर्ग और अधिकारिता की स्थानीय सीमाएं

1

2

प्रणामत अधिकारी नेडी नेडी हाउसिंग चिकित्सा महाविद्यालय और हाउसिंग चिकित्सा महा-अस्पताल के निवेश के भीतर सरकार बिद्यालय और अस्पताल, के सभी भूमि और भवन जो चारों नई दिल्ली। और निम्नलिखित मुख्य मार्गों से सीमाबद्ध है :-

उत्तर—पंचकुइयां मार्ग।

दक्षिण—नेडी हाउसिंग मार्ग।

पूर्वी—कनट सर्कल।

पश्चिम—बेअर्ड मार्ग।

[का सं० 21012(15)/72-नीति-3]

आर० बी० सखसैना, उप सम्पदा-निदेशक

और परेन धवर सचिव

MINISTRY OF INFORMATION AND BROADCASTING

New Delhi, the 1st December, 1972.

S.O. 5260.—In exercise of the powers conferred by Sub-section (1) of section 3 of the Cinematograph Act, 1952, the Central Government hereby appoints Shri V. R. Mohan as member of the Central Board of Film Censors with immediate effect upto 31st March, 1973.

[F. No. 11/6/72-FC.]

सूचना और प्रसारण मंत्रालय

नई दिल्ली, 1 दिसम्बर, 1972

का. आ. 5260.—चलचित्र अधिनियम, 1952 की धारा 3 की उपधारा (1) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार ने एतद्वारा श्री वी. आर. मोहन को तत्काल से 31 मार्च, 1973 तक केन्द्रीय फिल्म सेंसर बोर्ड का सदस्य नियुक्त किया है।

[फाइल संख्या 11/6/72-एफ. सी.]

नई दिल्ली, 12 दिसम्बर, 1972

आदेश

द्वितीय अनुसूची

का० आ० 5261.—इसके साथ लगी प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियम के उपबन्ध के अन्तर्गत जारी किए गए निदेशों के अनुसार, केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एतद्वारा, इसके साथ लगी द्वितीय अनुसूची के कालम 2 में दी गई फिल्म की उसके सभी भाषाओं के रूपान्तर सहित, जिसका विवरण उसके सामने उक्त द्वितीय अनुसूची के कालम 6 में दिया हुआ है, स्वीकृत करती है :—

प्रथम अनुसूची

(1) चलचित्र अधिनियम, 1952 (1952 का 37वां केन्द्रीय अधिनियम) की धारा 12 की उपधारा (4) तथा धारा 16।

(2) बम्बई सिनेमा (विनियम) अधिनियम 1953 (1953 का 11वां बम्बई अधिनियम) की धारा 5 की उपधारा (3) तथा धारा 9।

क्रम संख्या	फिल्म का नाम	फिल्म की लम्बाई	आवेदक का नाम	निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकु-मेन्ट्री फिल्म है
1	ऐसी प्रक्षर मिल-वित्त।	300.00 मीटर	प्रचार निदेशक, महा-राष्ट्र सरकार	शिक्षा सम्बन्धी (केवल महा-राष्ट्र मणिक के लिए)।	
			फिल्म सेंटर, 68, तारदेव रोड।		
			बम्बई-34।		

[संख्या 28/1/72-एफ०पी० परिशिष्ट 1736]

ORDER

S.O. 5262.—In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule to the order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 3792 dated the 2nd December, 1966, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be of the description specified against it/each in column 6 of the said Schedule.

SCHEDULE

S.No.	Title of the film	Length 35 mm	Name of the Applicant / Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	1. INR No. 1257	235.00 Metres	Films Division, Government of India, 24-Peddar Road, Bombay-26.	Film dealing with news Current Events.
2	2. INR No. 1256	215.18 Metres	-do-	-do-
3	3. The Happy Valley	252.00 Metres	-do-	Educational
4	4. Promise of prosperity	246.89 Metres	Public Relation Officer Fertilizer Corporation of India Limited, Trombay Unit Bombay-74.	Educational
5	5. Common Man and Democracy (You said it)	273.08 Metres	Prasad Productions Private Limited, Bombay-34.	-do-

[F. No. 28/1/72-FP App. 1739]

आदेश

का० आ० 5262.—भारत सरकार की सूचना और प्रसारण मंत्रालय के आदेश संख्या का० आ० 3792, तारीख 2 दिसम्बर, 1966 की प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियमों के उपबन्ध के अन्तर्गत जारी किए गए निदेशों के अनुसार केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एतद्वारा, इसके साथ लगी अनुसूची के कालम 2 में दी गई फिल्मों की उनके सभी भारतीय भाषाओं के रूपान्तरों सहित, जिनका विवरण प्रत्येक के सामने उक्त सूची के कालम 6 में दिया हुआ है, स्वीकृत करती है।

अनुसूची

क्रम संख्या	फिल्म का नाम	फिल्म की लम्बाई	आवेदक का नाम/ निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकुमेन्ट्री फिल्म है
1	1. भारतीय समाचार समीक्षा सं० 1257	235.00 मीटर	फिल्म प्रभाग, भारत सरकार 24 पैडर रोड, बम्बई-26।	समाचार और सामयिक घटनाओं का फिल्म

1	2	3	4	5
2.	भारतीय समाचार समीक्षा सं० 1256	215.18 मीटर	फिल्म प्रभाग, भारत सरकार, 22 पैडर रोड, बम्बई-26	समाचार और सामयिक घटनाओं का फिल्म
3.	वि हैपी वैली	252.00 मीटर	बम्बई-26 -तैव-	शिक्षा सम्बन्धी
4.	प्रोमिस आफ प्रोस्पे-रीटी।	246.89 मीटर	पी०आर०प्रो० फर्टीलाइजर कारपोरेशन आफ इंडिया, ट्राम्बे, बम्बई-74।	शिक्षा सम्बन्धी
5.	कामन मैन एण्ड डेमोक्रेसी (यू सैड इट)।	273.08 मीटर	प्रसाद प्रोडक्शन, ग्राहवेट सिमि-टेड, बम्बई-34।	-तैव-

[संख्या 28/1/72-एफ० पी०-परिशिष्ट 1739]

ORDER

S.O. 5263 :—In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule to the order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 3792 dated the 2nd December, 1966 the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be of the description specified against it/each in column 6 of the said Schedule.

SCHEDULE

S.No.	Title of the Film	Length 35 mm	Name of the Applicant/Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5
1.	I.N.R. No. 1257 (Eastern Edition)	303.58 Metres	Films Division, Government of India, 24-Peddar Road, Bombay-26.	Film dealing with news and current events (For release in Eastern States i.e. Assam, Bihar, Nagaland, Orissa, West Bengal, Manipur, NEFA and Tripura).

[F.No. 28/1/72-FP App. 1738]

आदेश

क्र० शा० 5263. —भारत सरकार के सूचना और प्रसारण मंत्रालय के आदेश संख्या एस० ओ० 3792, तारीख 2 दिसम्बर, 1966 की प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियमों के उपबन्ध के अन्तर्गत जारी किए गए निदेशों के अनुसार, केन्द्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एतद्वारा, इसके माथ लगी अनुसूची के कालम 2 में दी गई फिल्म को उसके सभी भारतीय भाषाओं के रूपान्तरों सहित, जिसका विवरण उसके सामने उक्त सूची के कालम 6 में दिया हुआ है, स्वीकृत करती है।

अनुसूची

क्रम संख्या	फिल्म का नाम	लम्बाई 35 मि० मी०	आवेदक का नाम/ निर्माता का नाम	क्या वैज्ञानिक फिल्म है या शिक्षा संस्वंधी फिल्म है या समाचार और सामयिक घटनाओं की फिल्म है या डाकुमेन्ट्री फिल्म है	1	2	3	4	5
1	भारतीय समाचार	303.58	फिल्म प्रभाग, समाचार और सामयिक		समीक्षा म०	मोटर	भारत सरकार, 24, पैडर रोड, बम्बई-26।	घटनाओं की फिल्म (केवल पूर्वी प्रदेशों—	ग्रामाम, विहार, नागालैंड, उड़ीसा, पश्चिम बंगाल, मणिपुर, मेका और त्रिपुरा)।

1 भारतीय समाचार 303.58 फिल्म प्रभाग, समाचार और सामयिक

[सं 28/1/72-एफ० पी० परिशिष्ट 1738]

ORDER

S.O. 5264. —In pursuance of the directions issued under the provision of each of the enactments specified in the First Schedule to the order of the Government of India in the Ministry of Information and Broadcasting No. S.O. 3792 dated the 2nd December, 1966, the Central Government after considering the recommendations of the Film Advisory Board, Bombay hereby approves the films specified in column 2 of the Schedule annexed hereto in all its/their language versions to be of the description specified against it/each in columns of the said schedule.

SCHEDULE

S.No.	Title of the film	Length 35 mm	Name of the Applicant/Name of the Producer	Whether a Scientific film or a film intended for educational purposes or a film dealing with news and current events or a documentary film.
1	2	3	4	5
	I.N.R. No. 1256 (Northern Edition)	294.13 Metres	Films Division Government of India, 24-Peddar Road, Bombay-26.	Film dealing with news & current events. (For release in Northern States viz. Haryana, J & K, Madhya Pradesh, Punjab, Rajasthan, U.P., Andaman & Nicobar Islands, Dadra and Nagar Haveli Admn. Delhi Administration, Himachal & Pondicherry)

[F. No. 28/1/ 2-FP App. 1737]

HARJIT SINGH, Under Secy.

आदेश

का० प्रा० 5624.—भारत सरकार के मूखता और प्रसारण मंत्रालय के आदेश संख्या एम० प्रो० 3792, तारीख 2 दिसम्बर, 1966 की प्रथम अनुसूची में निर्धारित प्रत्येक अधिनियमों के उपबन्ध के अन्तर्गत जारी किए गए निदेशों के अनुसार, केंद्रीय सरकार, फिल्म सलाहकार बोर्ड, बम्बई की सिफारिशों पर विचार करने के बाद, एनडू द्वारा, इसके साथ लगी अनुसूची के कालम 2 में दी गई फिल्म को उसके सभी भारतीय भाषाओं के रूपान्तरों सहित जिसका विवरण उसके सामने उक्त सूची के कालम 6 में दिया हुआ है, स्वीकृत करती है

अनुसूची

क्रम संख्या	फिल्म का नाम	लम्बाई 35 मी०	प्रावेदक का नाम/ निर्माता का नाम मी०	क्या वैज्ञानिक फिल्म है या शिक्षा संबंधी फिल्म है या समाचार और नामयिक घटनाओं की फिल्म है या डाकुमेन्ट्री फिल्म है
1	2	3	4	5
1.	भारतीय समाचार समीक्षा संख्या 1256 (उत्तरी संस्करण)।	294.13 मीटर	भारत सरकार, 24-पैडर रोड, बम्बई-26।	समाचार और नामयिक घटनाओं की फिल्म (केवल उत्तरी प्रदेशों) हरियाणा, जम्मू और काश्मीर, मध्य प्रदेश पंजाब, राजस्थान उत्तर प्रदेश, झारखण्ड और निकोबार टापू, दादरा और नागर हवेली प्रशासन, दिल्ली प्रशासन, पांडिचेरी और हिमाचल प्रदेश।

[मं० 28/1/72-एफ० पी०-परिशिष्ट 1737]

हरजीत सिंह, प्रवर सचिव

MINISTRY OF LABOUR AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 10th November, 1972

ORDER

S.O. 5265. —WHEREAS the industrial disputes specified in the Schedule hereto annexed are pending before Shri Mohd. Yaqoob Khan, Presiding Officer, Industrial Tribunal, Jaipur;

AND WHEREAS the services of Shri Mohd. Yaqoob Khan have ceased to be available;

NOW, THEREFORE, in exercise of the powers conferred by section 7A and sub-section (1) of section 33B of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri Updesh Narain Mathur, as the Presiding Officer, with headquarters at Jaipur, withdraws the proceedings in relation to the said disputes pending before Shri Mohd. Yaqoob Khan and transfers the same to Shri Updesh Narain Mathur, Presiding Officer, Industrial Tribunal, Jaipur for the disposal of the said proceedings with the direction that the said Tribunal shall proceed with the said proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

Sl. No.	Parties to the dispute	Order No. and date
1.	Employers in relation to M/s Bikaner Gypsums Ltd., Bikaner and their workmen.	No.24(26)/66-LR.I dated 27-6-1966
2.	Phalodi quarry of Messrs Jaipur Udyog Ltd., Sawaimadhopur and their workmen.	No.36/11/66-LR.I dated 24-9-1966.
3.	Employers in relation to M/s Bikaner Gypsums Ltd., Bikaner and their workmen.	No.24/33/67-LR.I dated 15-12-1967.
4.	Employers in relation to M/s Bikaner Gypsums Ltd., Bikaner and their workmen.	No.24(35)/67-LR.I dated 18-12-1967.
5.	Messrs Bikaner Gypsums Ltd., Bikaner and their workmen.	No.24/60/68-LR.I dated 14-4-1969.
6.	M/s Jaipur Udyog Ltd., Sawaimadhopur and their workmen.	No.36/33/69-LR.IV dated 27-10-1969.
7.	M/s Duduwalla & Co, Bhilwara Mica Mine Owners, Bhilwara and their workmen.	No.24(62)/69-LR.IV dated 12-11-1969.
8.	M/s Duduwalla and Company, Bhilwara and their workmen.	No.24(63)/69-LR.IV dated 12-11-1969.
9.	M/s Duduwalla and Company (Pvt) Ltd. Mica Mine Owners, Bhilwara and their workmen.	No.24(64)/69-LR.IV dated 12-11-1969.
10.	Hindusthan Copper Project, Khetri and their workmen.	No.10/64/70-LR.IV dated 2-11-1970.
11.	M/s Jaipur Minerals Development Syndicate Ltd., Jaipur and their workmen.	No.36(41)/69-LR.IV dated 25-11-1969.
12.	M/s Jaipur Udyog Ltd., Sawaimadhopur and their workmen.	No.12(1)/70-LR.IV dated 2-2-1970.
13.	M/s Bikaner Gypsums Ltd., Jodhpur and their workmen.	No.24(77)/69-LR.IV dated 26-3-1970.
14.	M/s Bikaner Gypsums Ltd., Bikaner and their workmen.	No.30(3)/70-LR.IV dated 12-5-1970.
15.	Mohammed & Sons, Gypsum Contractors, Jodhpur and their workmen.	No.24(76)/69-LR.IV dated 30-9-1970.
16.	Shri Karim Stone Contractors, Morak Stores, Kota and their workmen.	No.12(25)/70-LR.IV dated 27-11-1970
17.	M/s Bikaner Gypsums Ltd. Bikaner and their workmen.	No.30/7/70-LR.IV dated 19-2-1971.
18.	Shri Sultan Akhtar, Owner, Sathalkhedi Lime Stone Mine, Ramganjmandi and their workmen.	No.L-29012/3/71-LR.IV dated 7-4-1971.
19.	M/s Jaipur Mineral Development Syndicate (P) Ltd., Jaipur and their workmen.	No.L-29011/9/71-LR.IV dated 11-5-1971.
20.	M/s Bikaner Gypsums Ltd., Bikaner and their workmen.	No.L-25011/3/71-LR.IV dated 23-7-71.
21.	Rajasthan Atomic Power Project, Kota and their workmen.	No.L-29011/25/71-LR.IV dated 31-8-1971.
22.	Tungston Khan Pariyojna, Degana and their workmen.	No.10/47/70-LR.IV dated 1-9-1971.
23.	West Bengal Coalfields Ltd., Khetri Copper Project, Khetri and their workmen.	No.L-29011/36/71-LR.IV dated 22-9-1971.
24.	Shri Sultan Akhtar, Mine Owner, Sathalkhedi, Ramganjmandi and their workmen.	No.L-29012/28/71-LR.IV dated 20-10-1971.

Sl. No.	Parties to the dispute	Order No. and date	1	2	3
25.	West Sukhet Labour Contractors Co-operative Society Ltd., Sukhet, Kota and their workmen.	No.L-29012/26/71-LR.IV dated 25-10-1971.	2.	मैसर्स जयपुर उद्योग लिमिटेड, सवाई माधोपुर की फालोबी खदान और उनके कर्मकार ।	संख्या 36/11/66-एल० आर०-1, तारीख 24-9-1966
26.	M/s Jaipur Minerals Development Syndicate (P) Ltd., Jaipur and their workmen.	No.L-29012/21/71-LR.IV dated 11-11-1971.	3.	मैसर्स बीकानेर जिप्समस लिमिटेड, बीकानेर से सम्बद्ध नियोजक और उनके कर्मकार ।	संख्या 24/33/67-एल० आर०-1, तारीख 15-12-1967
27.	Western Bengal Coalfields Ltd., Khetri Copper Project, Khetrinagar and their workmen.	No.L-29011(40)/71-LR.IV dated 14-12-1971.	4.	मैसर्स बीकानेर जिप्समस लिमिटेड, बीकानेर से सम्बद्ध नियोजक और उनके कर्मकार ।	संख्या 24/35/67-एल० आर०-1, तारीख 18-12-1967
28.	Mohammed & Sons, Gypsum Contractors, Bhadwasi and their workmen.	No.L-25012/2/71-LR.IV dated 28-12-1971.	5.	मैसर्स बीकानेर जिप्समस लिमिटेड, बीकानेर से सम्बद्ध नियोजक और उनके कर्मकार ।	संख्या 24/60/69-एल० आर०-1, तारीख 14-4-1969
29.	Tungston Mine Project, Degana, and their workmen.	No.L-29012/6/71-LR.IV dated 31-12-1971.	6.	मैसर्स जयपुर उद्योग लिमिटेड, सवाईमाधोपुर और उनके कर्मकार ।	संख्या 36/33/69-एल० आर०-4, तारीख 27-10-1969
30.	Pyrites, Phosphates and Chemicals Ltd., P.O. Khandela, Distt. Sikar, and their workmen.	No.L-29011/12/72-LR.IV dated 25-4-1972.	7.	मैसर्स बुधवाला एण्ड कं०, भीलवाड़ा, अन्नक खान मालिक, भीलवाड़ा, और उनके कर्मकार ।	संख्या 24/62/69-एल० आर०-4, तारीख 12-11-1969
31.	Pyrites, Phosphates and Chemicals Ltd., Saladipura Exploratory Mines, Post Office Khandela, Distt. Sikar and their workmen.	No.L-29012(5)/71-LR.IV dated 30-6-1972.	8.	मैसर्स बुधवाला एण्ड कं०, भीलवाड़ा और उनके कर्मकार ।	संख्या 24/63/69-एल० आर०-4, तारीख 12-11-1969
32.	Hindustan Copper Ltd., Khetri Copper Project, Post Office, Khetri Nagar, Distt. Jhunjhunu, Rajasthan and their workmen.	No.L-29012(19)/72-LR.IV dated 15-7-1972.	9.	मैसर्स बुधवाला एण्ड कं० (प्रा०) लिमिटेड, अन्नक खान मालिक, भीलवाड़ा और उनके कर्मकार ।	संख्या 24/64/69-एल० आर०-1, तारीख 12-11-1969

[No.L-29011/30/72-LR.IV]

अन्य और पुनर्वास संज्ञा
(अन्य और रोजगार विभाग)

नई दिल्ली, 10 नवम्बर, 1972

आदेश

का०आ० 5265 :—यतः इससे उपायधन अनुसूची में विनिर्दिष्ट औद्योगिक विवाद, श्री मोहम्मद याकूब खां, पीठासीन अधिकारी औद्योगिक अधिकरण, जयपुर के समक्ष लम्बित है;

और यतः श्री मोहम्मद याकूब खां की सेवाएं उपलब्ध नहीं रही हैं;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7-क और धारा 33-ख की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधिकरण गठित करती है जिसके पीठासीन अधिकारी श्री उपवेश नारायण माथुर होंगे, जिनका मुख्यालय जयपुर होगा, श्री मोहम्मद याकूब खां से उक्त विवादों से सम्बद्ध कार्यवाहियों को वापस लेती है और उन्हें उक्त कार्यवाहियों के निपटान के लिये श्री उपवेश नारायण माथुर पीठासीन अधिकारी औद्योगिक अधिकरण, जयपुर को इस निदेश के साथ अन्तरित करती है कि उक्त अधिकरण और आगे कार्यवाहियां उसी प्रक्रम से करेगा जिस पर वे उसे अन्तरित की जाएं और विधि के अनुसार उनका निपटान करेगा ।

अनुसूची

क्रम	विवाद के पक्षकार	आदेश संख्या और तारीख
1.	मैसर्स बीकानेर जिप्समस लिमिटेड, बीकानेर से सम्बद्ध नियोजक और उनके कर्मकार ।	संख्या 24(26)/66-एल० आर०-1, तारीख 27-6-1966

10.	हिन्दुस्तान कॉपर प्रोजेक्ट, खेतरी, और उनके कर्मकार ।	संख्या 10/64/70-एल० आर०-4, तारीख 2-11-1970
11.	मैसर्स जयपुर मिन्टल्स डेवेलपमेंट मिण्डिकेट लि०, जयपुर और उनके कर्मकार ।	संख्या 36/41/69-एल० आर०-4, तारीख 25-11-1969
12.	मैसर्स जयपुर उद्योग लिमिटेड, सवाईमाधोपुर और उनके कर्मकार ।	संख्या 12(1)/70-एल० आर०-4, तारीख 2-2-1970
13.	मैसर्स बीकानेर जिप्समस लिमिटेड, जोधपुर और उनके कर्मकार ।	संख्या 24/77/69-एल० आर०-4, तारीख 26-3-1970
14.	मैसर्स बीकानेर जिप्समस लिमिटेड, बीकानेर और उनके कर्मकार ।	संख्या 30(3)/70-एल० आर०-4, तारीख 12-5-1970
15.	मोहम्मद एण्ड सन्स, जिप्समस ठेकेदार, जोधपुर और उनके कर्मकार ।	संख्या 24/76/69-एल० आर०-4, तारीख 30-9-1970
16.	श्री करीम पत्थर ठेकेदार मोरक स्टोर्ज, कोटा और उनके कर्मकार ।	संख्या 12(25)/70-एल० आर०-4, तारीख 27-11-1970
17.	मैसर्स बीकानेर जिप्समस लिमिटेड, बीकानेर, और उनके कर्मकार ।	संख्या 30/7/70-एल० आर०-4, तारीख 19-2-1971
18.	श्री सुलतान अख्तर, मालिक, साताल-खेरी लाईन स्टोन माईन, रामगंज मण्डी और उनके कर्मकार ।	संख्या एल-29012/3/71-एल० आर०-4, तारीख 7-4-1971
19.	मैसर्स जयपुर मिन्टल्स डेवेलपमेंट मिण्डिकेट (प्राइवेट) लिमिटेड, जयपुर और उनके कर्मकार ।	संख्या एल-29011/9/71 एल० आर०-4, तारीख 11-5-1971
20.	मैसर्स बीकानेर जिप्समस, लिमिटेड, बीकानेर और उनके कर्मकार ।	संख्या एल-25011/3/71-एल० आर०-4, तारीख 23-7-71

1	2	3
21.	राजस्थान ऊर्जाविनिमय परियोजना, संख्या एल-29011/25/7 एल० कोटा और उनके कर्मकार।	आर-4, तारीख 31-8-1971
22.	टंगस्टन खान परियोजना, देगना, संख्या 10/47/70-एल० आर-4, और उनके कर्मकार।	तारीख 1-9-1971
23.	वेस्ट बंगाल कोलफील्ड्स लिमिटेड, संख्या एल-29011/36/71 - खेतरी कापर प्रोजेक्ट, खेतरी, और उनके कर्मकार।	एल० आर-4, तारीख 22-9-1971
24.	श्री सुलतान अखतर, खान मालिक संख्या एल-29012/28/71- माथालखेरी, रामगंज मण्डी और उनके कर्मकार।	एल० आर-4, तारीख 20-10-1971
25.	वेस्ट सुखेत लेबर कंट्रैक्टर्स कोआप- संख्या एल-29012(26/71-एल० रेटिव सोसायटी लि०, सुखेत, कोटा और उनके कर्मकार।	आर-4, तारीख 25-10-1971
26.	मैमर्स जयपुर मिनरल्स डेवेलपमेंट सं० एल-29012/21/71-एल० मिण्डिकेट (ग्रा०) लिमिटेड, जयपुर और उनके कर्मकार।	आर-4, तारीख 11-11- 1971
27.	वेस्ट बंगाल कोलफील्ड्स लिमिटेड, संख्या एल-29011(40)/71- खेतरी कापर प्रोजेक्ट, खेतरी नगर और उनके कर्मकार।	एल० आर-4, तारीख 14-12-1971
28.	मोहम्मद एण्ड सन्स, जिप्सम टेकेदार, संख्या एल-25012/2/71-एल० भादवासी और उनके कर्मकार।	आर-4, तारीख 28-12-71
29.	टंगस्टन माईन प्रोजेक्ट, देगना और संख्या एल-29012/6/71-एल० उनके कर्मकार।	आर-4, तारीख 31-12- 1971
30.	पाइराइट्स फास्फेट्स एण्ड केमिकल्स संख्या एल-29011/12/72 - लिमिटेड, डाकघर खानदेला, जिला मीकर और उनके कर्मकार।	एल० आर-4, तारीख 25-4-1972
31.	पाइराइट्स, फास्फेट्स एण्ड केमिकल्स संख्या एल-29012(5) /72- लिमिटेड, सालादीपुरा एक्मप्लोरेटरी माइन्स, डाकघर खानदेला, जिला मीकर और उनके कर्मकार।	एल० आर-4, तारीख 30-6-1972
32.	हिन्दुस्तान कापर लि०, खेतरी कापर संख्या एल-29012(19)/72- प्रोजेक्ट, डाकघर खेतरी नगर, जिला मुनसुपु, राजस्थान और उनके कर्मकार।	एल० आर-4, तारीख 15-7-1972

[सं. एल-29011/30/72-एल.आर-4]

New Delhi, the 4th December, 1972

ORDER

S.O. 5266.—WHEREAS the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Messers Kutchwar Lime and Stone Company, Banjari, District Shahabad (Bihar) and their workmen in respect of the matters specified in the Schedule hereto annexed;

AND WHEREAS the Central Government considers it desirable to refer the said dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2) Dhanbad constituted under Section 7A of the said Act.

SCHEDULE

"Whether the action of the management of Messers Kutchwar Lime and Stone Company, Banjari, District Shahabad, (Bihar) in refusing to give employment to Shri Akaloo Ram, with effect from the 18th May, 1969 was justified? If not, to what relief is the workman entitled?"

[No. L-29012(25)/72-LR. IV]

दिनांक, 4 दिसम्बर, 1972

आदेश

का. आ. 5266.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स कच्छवार लाईम स्टोन एण्ड कम्पनी, बंजारी, जिला शाहाबाद (बिहार) के प्रबन्ध तंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है,

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 2). धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

"क्या मैसर्स कच्छवार लाईम स्टोन कम्पनी, बंजारी, जिला शाहाबाद (बिहार) के प्रबन्ध तंत्र की, श्री अकलू राम को, 18 मई, 1969 से नियोजन देने से इंकार करने की कार्यवाही न्यायोचित है? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है?"

[सं. एल-29012(25)/72-एल. आर-4.]

एस. एस. सहस्रनामन. अवर सचिव।

The 11th December, 1972

NOTIFICATION

S.O. 5267.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal No. 2, Bombay, in the matter of applications under section 33A of the said Act from Shri John Pereira, Majorda, Selcettee, Goa, and 27 others which was received by the Central Government on the 6th December, 1972.

[No. 24/5/69-LR. I/LR. IV]

S. S. SAHASRANAMAN,
Under Secy.BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL No. 2, BOMBAY

Complaints arising out of Ref. No. CGIT-2/2 of 1969

Complaint No.	Name of the Complainant	Name of the Opponent
1	2	3
CGIT-2/2 of 1969	Shri John Pereira	Pandurang Timblo Industries, Margao
CGIT-2/3 of 1969	Shri Shivaji Golatkar	-do-
CGIT-2/4 of 1969	Shri Ignatius Fernandes	-do-
CGIT-2/5 of 1969	Shri Poput Nagvenkar	-do-
CGIT-2/6 of 1969	Shri Digambar Korjuenkar	-do-
CGIT-2/7 of 1969	Shri Sayed Jainud	-do-
CGIT-2/8 of 1969	Shri Cyprian Fernandes	-do-

Complaint No. Name of the Complainant Name of Opponent

CGIT-2/9 of 1969	Shri Shashikant Kakodkar	Pandurang Timblo Industries Margao
CGIT-2/10 of 1969	Shri Vidyanand Kautonkar	-do-
CGIT-2/11 of 1969	Shri Joaquim D'Mello	-do-
CGIT-2/13 of 1969	Shri Naguesh Redkar	-do-
CGIT-2/14 of 1969	Shri Salvador Mendes	-do-
CGIT-2/16 of 1969	Shri Satan Carvalho	-do-
CGIT-2/17 of 1969	Shri Premanand Raikar	-do-
CGIT-2/18 of 1969	Shri Sabastian Fernandes	-do-
CGIT-2/19 of 1969	Shri Ragoba Kankonkar	-do-
CGIT-2/20 of 1969	Shri Naresh Kerker	-do-
CGIT-2/21 of 1969	Shri Dattaram Shirodkar	-do-
CGIT-2/22 of 1969	Shri Diogo Fernandes	-do-
CGIT-2/24 of 1969	Shri Joseph Monteiro	-do-
CGIT-2/26 of 1969	Shri Edward Gracias	-do-
CGIT-2/31 of 1969	Shri Diogo Fernandes	-do-
CGIT-2/34 of 1969	Shri Ponduri Chandru Naik	-do-
CGIT-2/36 of 1969	Shri Uttam Chari	-do-
CGIT-2/37 of 1969	Shri Ponduri Horadkar	-do-
CGIT-2/39 of 1969	Shri B. R. Patil	-do-
CGIT-2/40 of 1969	Shri Mathew Carvalho	-do-
CGIT-2/41 of 1969	Shri Inam H. Kazi	-do-

(Full address of the complainants are given in annexure 'A' attached to this Award).

Present :

Shri N. K. Vani, Presiding Officer

Appearances :

For the complainants Shri George Vaz, General Secretary Goa Mining Labour Welfare Union, Goa.

For the opponent : Shri Ramesh Desai, Labour Adviser.

Industry: Iron Ore Mining

State: Goa, Daman and Diu

Bombay, dated the 17th November, 1972

AWARD

The facts giving rise to these 28 complaints under Section 33A of the Industrial Disputes Act, 1947 are as follows :—

- (i) The complainants and other employees of the opponent proceeded on strike after giving due notice of strike as the opponent did not implement the recommendations of the Central Wage Board for Iron Ore Mining Industry with effect from 1-1-1967 and make payment of arrears of wages arising on account of that for the period from 1-1-1967 to 31-12-1967.
- (ii) After the receipt of the failure of conciliation report dated 22-1-1969 from the Asstt. Labour Commissioner (C), Vasco-de-Gama, the Government of India referred the dispute regarding the demand 'Whether the action of the management of Messrs Pandurang Timblo Industries, Margao in implementing the final recommendations of the Central Wage Board for Iron Ore Mining Industry in respect of the workmen employed in their Iron Ore Mines with effect from the 1st January, 1968, and not from the 1st January, 1967, as accepted by the Government of India, is justified? If not, to what relief are the workmen entitled by its order No. 24/5/69-LRI (i) dated 20-3-1969. It also issued order No. 24/5/69-LRI (ii) dated 20-3-1969 prohibiting the continuance of the strike in existence in the mines in connection with the said dispute.
- (iii) After the receipt of the order regarding prohibition of strike from the Government of India, the Union withdrew the strike and directed the employees to

report for duty. The complainants and other employees therefore reported for duty, but they were not allowed to resume duty.

- (iv) The opponent on the other hand started disciplinary proceedings against the complainants and other employees on the allegation that they committed certain misconducts during the period of strike. In those proceedings the opponent held the complainants and other employees guilty of the misconducts alleged to have been committed by them and dismissed them from their services. After the dismissal of the complainants, the opponent did not file application for approving its action of dismissing them, complying with the provisions of Section 33(2)(b) of the Industrial Disputes Act, 1947. They did file such applications in respect of some employees.

- (v) As according to the complainants, they are covered by the dispute bearing No. CGIT-2/2 of 1969 referred to above and as the opponent has contravened the provisions of Section 33A, they have each filed separate complaint against the opponent under Section 33A of the I.D. Act, 1947 alleging that the enquiries held against them were not proper, just and fair, the principles of natural justice were violated and that their dismissals were with a view to victimise them as they had taken part in the strike and with a view to deprive them of the benefits of the Central Wage Board for Iron Ore Industry recommendations and other benefits.

2. The opponent, Messrs. Pandurang Timblo Industries (hereinafter referred to as the opponent) has filed a common written statement at Ex. 1/E in complaint No. CGIT-2/18 of 1969.

3. According to the opponent:

- (i) Complainant in each complaint is not a workman concerned in the dispute pending before this Tribunal.
- (ii) Complainant in each case is a workman at the Cacora Garage, which is a separate establishment registered under the Factories Act, 1948. The same establishment and its activities do not fall within the powers of the Central Government. The appropriate Government in respect of the workmen employed in the Cacora Garage is the State Government of Goa, Daman and Diu. This Tribunal has therefore no jurisdiction to entertain the complaints.
- (iii) It has not contravened the provisions of Section 33A of the I.D. Act, 1947.
- (iv) The dispute bearing No. CGIT-2/2 of 1969 referred to this Tribunal is restricted to the workmen employed in the Iron Ore Mines. This is clear from the Schedule of the reference dated 20-3-69.
- (v) Cacora Garage is situated at Cacora. The near-most mines of the opponent are situated at Borga Donger, Rivona and Codli, Satari, which are situated at about 17 miles and 13 miles respectively. The further most mines of the opponent are situated at Sonshi which is 34 miles from the Garage.
- (vi) The complainants are employed in the Cacora Garage. Their work is mainly in Cacora Garage.
- (vii) It is true that Goa Mining Labour Welfare Union (hereinafter referred to as the Union) represented in February, 1969 a few workmen employed by the opponent, in its Iron Ore Mines and in the Cacora Garage. The strike resorted to by the workmen was not legal or peaceful. The strike of workmen in the Cacora Garage was unreasonable and unjustified. The workmen resorted to strike though the management adopted an extremely reasonable attitude in the matter. The failure of conciliation report of the Asstt. Labour Commissioner (C) Vasco-de-Gama has no concern with the workmen employed by it in Cacora Garage, who do not come within the jurisdiction or sphere of the Central Government.
- (viii) The notification dated 22nd March, 1969, issued by the Government of India under Section 10(3) of the Act had nothing to do with the workmen

employed by the opponent at its Cocora Garage. This notification relates to the workmen employed by it in its mines. The said notification prohibiting the continuance of the strike in existence in the said mines.

- (ix) The complainants were not permitted to resume work as they were dismissed from service after they were chargesheeted and enquiries were held in to charges levelled against them. They were not wrongly or illegally dismissed from service.
- (x) It is not true that the complainants were dismissed because they had resorted to strike. They were dismissed for the misconduct.
- (xi) The terms of the reference bearing No. CGIT-2/2 of 1969 do not cover the complainants. Their dismissal orders do not constitute a change in service conditions. As they have been dismissed from service, there is no alteration or change in the conditions of service of the complainant.
- (xii) The definition of the Iron Ore Mining Industry in the Resolution of the Govt. of India dated 3-6-1967 is totally irrelevant to the question in issue before this Tribunal.
- (xiii) The Wage Board benefits given to the employees working in the Iron Ore Mines by settlement dt. 15-1-1968 were also extended to the workmen employed in the Cacora Garage. These benefits were also extended to the monthly rated workmen. The Manganese Ore mines are not covered by the Central Wage Board for Iron Ore Mining Industry's recommendations.
- (xiv) Cacora Garage has been closed with effect from 9-4-1969. The complainants cannot be therefore reinstated.
- (xv) As regards *ex-parte* enquiries, it is contended that the complainants concerned deliberately remained absent. Hence the enquiries had to be continued and concluded in *absentia*.

4. In each complaint the opponent has given pursis stating that its contentions, in each case are the same as those raised in written statement given in complaint No. CGIT-2/18 of 1969.

5. Shri George Vaz, General Secretary, Goa Mining Labour Welfare Union has filed rejoinder at Ex. 3/W in complaint No. CGIT-2/18 of 1969.

6. According to Shri Vaz,

- (i) The dismissals of the complainants are *malafide*. These dismissals amount to victimisation. Complainants were dismissed with a view to deprive them of the benefits of the recommendations of the Central Wage Board for Iron Ore Mining Industry as accepted by the Government of India for workmen employed in the Iron Ore Mining Industry of Messrs Pandurang Timblo Industries.
- (ii) The dispute bearing No. CGIT-2/2 of 1969 covers all the workmen employed in the Iron Ore Mining Industry of the opponent. It includes the workmen employed in the Cacora Garage, River side loading point etc.
- (iii) The Union had raised the dispute on behalf of the workmen in their strike notice No. TD/PTIL/26/1967 dated 18-9-1967 served on the opponent. The dispute and the strike notice were on behalf of the workmen in all the mining establishments, repair workshop of the opponent i.e. Cacora Garage.
- (iv) There was agreement between the opponent and the Union before the ALC(C), Vasco-de-Gama on 15-1-1968. By this settlement it was agreed that the opponent would implement the final recommendations of the Central Wage Board for Iron Ore Mining Industry as accepted by the Government of India in their resolution No. WB-2(3)/67

dated 3-6-1967 with effect from 1-1-1968, in respect of all workmen employed in the Iron Ore Mining Industry. It was agreed that the payment of arrears arising out of the implementation of the recommendations of the Central Wage Board for Iron Ore Mining Industry for the period from 1-1-1967 to 31-12-1967 would be negotiated between the parties. As these negotiations failed the Union gave strike notice dated 19-10-1968 to the opponent, demanding payment of arrears for the period from 1-1-1967 to 31-12-1967. On account of this, the ALC(C), Vasco-de-Gama had to send failure of conciliation report and the Government referred the dispute to this Tribunal for adjudication.

- (v) As per Wage Board recommendations, para. 1, 'Iron Ore Mining Industry will include all activities, connected, directly or indirectly, with the mining of Iron Ore such as prospecting, survey, mining and preparing of ore, ore loading and ore handling, all engineering, mechanical and electrical installations, repair and maintenance, transportation, stores, laboratory and quality control etc.'
- (vi) The workmen at Cacora Garage are concerned with the dispute and the recommendations of the Central Wage Board for Iron Ore Mining Industry as accepted by the Government of India. They were given the benefits of the Wage Board recommendations implemented by the opponent with effect from 1-1-1968. They are also concerned with the dispute referred to the Tribunal in respect of payment of arrears for the period from 1-1-1967 to 31-12-1967.
- (vii) The opponent terminated the services of the complainants and other employees with ulterior motives and *malafide* intentions with a view to victimise them and to deprive them of the benefits of the recommendations of the Central Wage Board for Iron Ore Mining Industry and other benefits. Their services were terminated wrongfully and illegally.
- (viii) The complainants working in Cacora Garage, which is repair and maintenance workshop go to mines for carrying out the repair work on mining machines. The Cacora Garage is an exclusive workshop concerned with the repair and maintenance work of mechanical units working in the mining industry of the opponent. Due to exigencies of work in the mining industry the opponent freely transfer workers from mines to workshop and from workshop to mines on the basis of the certified Standing Orders empowering them to do so.
- (ix) As the complainants dismissals are illegal, they be reinstated with continuity of service and back wages.

7. Each one of the 28 complainants has adduced oral and documentary evidence in the complaint filed by him against the opponent.

8. As regards opponent, it has filed original enquiry papers relating to each complaint in the complaint concerned. It has however adduced all oral and documentary evidence against all complainants in respect of all enquiries in complaint No. CGIT-2/2 of 1969.

9. The opponent has filed:—

- (i) Pursis regarding common evidence dated 25-10-1971,
 - (ii) Affidavits (i) of Shri Shridhar Narain Prabhu-Chodnekar, Ex. 5/E,
 - (iii) Shri Vaman Ramnath Silimcan, Ex. 6/E,
 - (iv) Shri Mahableshwar Pundalik Kamat, Ex. 7/E,
 - (v) Shri Shivram Sanguemkar, Ex. 21/E,
 - (vi) Shri Vishwanth Sinai Sambari, Ex. 24/E,
 - (vii) Shri Krishnadeo Kamat, Ex. 29/E,
- and examined S/Shri Mahableshwar Pundalik Kamat, Ex. 10/E, Vaman Ramnath Silimcan, Ex. 11/E, Shridhar Narain

Prabhu Chodnekar, Ex. 13/E, Shivram Sanguemkar, Ex. 20/E, Vishwanath Sinai Sambari, Ex. 25/E and Krishnadeo Kamat, Ex. 30/E as witnesses.

10. The opponent has also filed original enquiry papers relating to the complainant in complaint No. CGIT-2/2 of 1969 at Ex. 2/E. Statements regarding enquiries held by Shri M. P. Kamat on 1-4-1969, 5-4-1969 and 7-4-1969 at Ex. 16/E, 17/E and 18/E respectively, daily loading Log Book of Barges at Ex. 22/E, Ex. 23/E. Registration and licence to work a Factory in respect of Auto Repair Workshop at Ex. 26/E and Despatch Advice at Ex. 27/E.

11. In Complaint No. CGIT-2/2 of 1969, the complainants have filed,

- (i) Affidavit of Shri George Vaz, General Secretary, Goa Mining Labour Welfare Union, At Ex. 3/W.
- (ii) Copy of Memorandum of Settlement arrived at under Section 12(3) of the I.D. Act on 15-1-1967 in the office of the Asstt. Labour Commissioner (C), Vasco-de-Gama at Ex. 8/W.
- (iii) Fitment Chart, at Ex. 9/W.
- (iv) Certified copy of judgement given in the Court of Judicial Magistrate, First Class Quepem, in criminal case No. 292/69A at Ex. 14/W.
- (v) Copy of Certified Standing Orders at Ex. 15/W.
- (vi) Statement regarding enquiry held by Shri M. P. Kamat as Inquiry Officer in approval applications, at Ex. 19/W.
- (vii) Certified copies of statements of,
 - (1) Shri Shridhar Narayan Prabhu Chodnekar, at Ex. 32/W,
 - (2) Shri Shivram Sanguemkar, at Ex. 33/W,
 - (3) Shri Krishnanath Vishnath Kamat, at Ex. 34/W,
 - (4) Shri Prahlad Kolvalkar, at Ex. 35/W, given in approval in application No. CGIT-2/2 of 1969.
- (viii) Statement giving number, date of enquiry, time, witnesses examined, date of finding, date of dismissal order and remarks at Ex. 36/W, 37/W and 38/W.

12. All these 28 complaints are heard together and disposed of by a common judgement.

13. Points for consideration are as follows:—

- (i) Whether the complainants in question can be said to be the persons employed in a mine, within the meaning of Section 2(1)(h) of the Mines Act, 1952?
- (ii) Whether the complainants in question are the persons concerned in the dispute bearing Reference No. CGIT-2/2 of 1969 pending before this Tribunal?
- (iii) Whether the Central Government is the appropriate Government to refer the dispute between the opponent and the complainants in question?
- (iv) Whether this Tribunal has jurisdiction to entertain these complaints?
- (v) Whether the Cacora Garage has been closed?
- (vi) Whether the complainants are entitled to reinstatement, in case their dismissals are not justified?
- (vii) Whether the enquiries held against the complainants in question are proper and fair?
- (viii) Whether the same are vitiated?
- (ix) Whether the dismissals of the complainants in question on evidence before me are justified?
- (x) If not to what relief each complainant is entitled?
- (xi) What order?

14. My findings are as follow:—

- (i) As regards the complainants in complaint Nos. CGIT-2/7 of 1969, CGIT-2/16 of 1969, CGIT-2/17 of 1969, CGIT-2/20 of 1969 and CGIT-2/36 of 1969, they cannot be said to be the persons employed in mine. Other 23 complainants in question can be said to be the persons employed in the mine within the meaning of Section 2(1)(h) of the mines Act, 1952.
- (ii) Five complainants viz., S/Shri Sayed Jainud, Satan Carvalho, Premanand Raikar, Naresh Kerker and Uttam Chari are not the persons concerned in the dispute bearing Reference No. CGIT-2/2 of 1969 pending before this Tribunal. Other 23 complainants are the persons concerned in the dispute bearing Reference No. CGIT-2/2 of 1969 pending before this Tribunal.
- (iii) Central Government is not the appropriate Government to refer the dispute between the opponent and five complainants viz. S/Shri Sayad Jainud, Satan Carvalho, Premanand Raikar, Naresh Kerker and Uttam Chari in Ref. No. CGIT-2/2 of 1969. Central Government is the appropriate Government to refer the dispute between the 23 complainants and the opponent in Ref. No. CGIT-2/2 of 1969.
- (iv) This Tribunal has no jurisdiction to entertain the five complaints i.e. Complaint Nos. CGIT-2/7 of 1969, CGIT-2/16 of 1969, CGIT-2/17 of 1969, CGIT-2/20 of 1969 and CGIT-2/36 of 1969. This Tribunal has jurisdiction to entertain the complaints of other 23 complainants.
- (v) Yes.
- (vi) Yes, in respect of 23 complainants.
- (vii) No.
- (viii) Yes.
- (ix) No.
- (x & xi) As mentioned in the order.

REASONS

Point No. i.

15. The learned representative Shri Ramesh Desai for the opponent contends that the Cacora Garage is not a mine within the meaning of Section 2(1)(j)(vii) of the Mines Act, 1952 and that the complainants in question cannot be said to be employed in a mine within the meaning of Section 2(1)(j) of Mines Act, 1952.

16. Section 2(1)(h) of the mines Act, 1952 is as follows:

"A person is said to be 'employed' in a mine who works under appointment by or with the knowledge of the Manager, whether for wages or not, in any mining operation, or in cleaning or oiling any part of any machinery used in or about the mine, or in any other kind of work whatsoever incidental to, or connected with, mining operations".

17. The complainants in question can be said to be persons employed in a mine if they prove that they are doing work incidental to or connected with mining operation.

18. In the present case, the complaints of the 28 complainants in question can be divided into 3 groups.

- (i) First group relates to the complainants mainly working on mines and loading points. In this group complaints of four complainants in Complaint Nos. CGIT-2/10 of 1969, CGIT-2/5 of 1969, CGIT-2/37 of 1969 and CGIT-2/9 of 1969 fall.
- (ii) Second group relates to the complainants working in Cacora Garage as well as on mines. The cases of 19 complainants in complaint Nos. CGIT-2/2 of 1969, CGIT-2/3 of 1969, CGIT-2/4 of 1969, CGIT-2/6 of 1969, CGIT-2/8 of 1969, CGIT-2/

11 of 1969, CGIT-2/13 of 1969, CGIT-2/14 of 1969, CGIT-2/18 of 1969, CGIT-2/19 of 1969, CGIT-2/21 of 1969, CGIT-2/22 of 1969, CGIT-2/24 of 1969, CGIT-2/26 of 1969, CGIT-2/31 of 1969, CGIT-2/34 of 1969, CGIT-2/39 of 1969, CGIT-2/40 of 1969, CGIT-2/41 of 1969 fall in this group.

(iii) Third group relates to the complaint of the complainants working in Cacora Garage only. The complaints of five complainants in complaint Nos. CGIT-2/7 of 1969, CGIT-2/16 of 1969, CGIT-2/17 of 1969, CGIT-2/20 of 1969 and CGIT-2/36 of 1969 fall in this group.

19. The complainant Shri Vidyantand Kauthankar, in complaint No. CGIT-2/10 of 1969 falling in the first group has filed affidavit at Ex. 1/W and examined himself as a witness at Ex. 6/W.

20. Relevant portion in his affidavit Ex. 1/W, para, 1 is as follows:—

"I am a mine worker and can produce a confirmation letter dated 5th October, 1964 appointing me as Shovel Operator at the Bondra Advena Mine of M/s. Pandurang Timblo Industries. I was never appointed at the Cacora Garage and I have been transferred as per the exigencies of work to various mine and was lastly working at the Capxem Plot where loading of Iron Ore is carried out. I received my salary at the Curchorem Office."

21. He also says in his affidavit Ex. 1/W, para. 3 that he is mine worker by appointment and he is connected with the mining operation of M/s. Pandurang Timblo Industries.

22. In his evidence Ex. 6/W he states that he started work as an apprentice in the company in the year 1959. Thereafter he was promoted as a Cleaner Driver. He thereafter became Shovel Operator in the year 1964, and he was working as Shovel Operator at the time of dismissal. He emphatically states that he has no connection with the Cacora Garage and that he was working in Codli Mine.

23. It is interesting to note that there is no cross-examination of this witness on this point. His statement on oath regarding the place of work and nature of work stands unchallenged. I am therefore satisfied from his evidence, that he is a mine worker.

24. The complainant Shri Popat Naguekar, in complaint No. CGIT-2/5 of 1969 falling in the first group has filed affidavit at Ex. 1/W. Paragraphs 2, 3 and 4 in his affidavit Ex. 1/W are as follows:—

"2. I wish to state that there has never been a distinction made by the Opposite Party between mine workers and workers employed at the Cacora Garage. These are all establishments in the mining industry of the company. And I wish to further state that I have a service of more than 7 years in the company. I was appointed in August 1962 at the Pali Mine (Emoli Mine) of the company. I worked as a Shovel Operator and during my services with the opposite party. I have worked in most of the mines of the company like codli Mine, Sonshi Mine, Sigao Mine, Suktoli Mine, Talaulim Mine, Barga Mine and lastly before my illegal termination and dismissal I was transferred on a temporary transfer to the Capxem River Side Plot to do the loading work. Only for the purpose of my monthly salary I am included in the Cacora Garage Pay sheet but am in no way connected with work of repair and maintenance at the Cacora Garage.

3. I further state that most of the workmen who have made complaints under Section 33A in this group of complaints before this Honourable Tribunal are not exclusively employed at the Cacora Garage which the Opposite Party says is a factory. Actually all the workers of M/s. Pandurang Timblo Industries who are connected with the Mining activities of this Mine owner are being regularly transferred from the Mine to the Garage or from

the Garage to the Mine. A number of Drivers doing Transport work on the mines, shovel operators like myself and others were all appointed on one or other mine.

4. I am aware that the following complainants were appointed directly on the Mine:

2/10 Vidyanand Kautonkar—Shovel Operator on mine
2/19 Ragoba Canconkar—Truck Driver on Mine
2/25 T. Mohamed—Cleaner on mine
2/33 Jua Utham Honekar—Cleaner on mine
2/34 Ponduri Chandru Naik—Driver on mine
2/37 Ponduri Horadkar—Driver on mine

2/3 Shivaji Galatkar—Asstt. Mechanic appointed on pali mine.

2/6 Digaumber Korjuemnkar—Junior Mechanic appointed on mine.

2/11 Joaquim D'Mello—Mechanic on Sonshi Mine
2/12 Francis Fernandes—appointed on mine as Asstt. Mechanic.

The other complainants although appointed at the Cacora Garage are often transferred to the mine for work and there is no hard and fast separation of the Cacora Garage Staff from the work on the mine."

25. This complainant has also given evidence at Ex. 6/W. It is interesting to note that this witness has not been cross-examined at all. There is therefore no reason to reject his evidence given in affidavit regarding nature of work and the place where he works. It is clear from his evidence that he has worked in most of the mines, that he was temporarily transferred to Capxem River Side Plot to do the loading work and that only for the purpose of monthly salary he was included in the Cacora Garage pay sheet. I am satisfied from his evidence that he was a mine worker.

26. The complainant Shri Pandori S. Horadkar, in complaint No. CGIT-2/37 of 1969 falling in the first group has given evidence at Ex. 6/W. Paras. 1 and 2 in his evidence Ex. 6/W are as follows:—

"I was working in the company as a Driver for 9 years before my dismissal. I had worked at Codli Mines as well as loading plots.

At the time of strike I was doing loading operation at Usgaon Dock. The truck was kept at Capxem plot. I was issued an attendance card. I used to get my attendance marked in the attendance card from the authorities wherever I went for work. The card used to be deposited to the company every month. I used to get wages from the place where I used to deposit the card. Payment of February 1969 was given to me at Garage"

27. It is interesting to note that this witness has not been cross-examined. There is therefore no reason to reject his evidence on the point regarding his place of work and nature of duties. I am satisfied from his evidence that he was a mine worker.

28. The complainant Shri Raghoba Kankonkar in complaint No. CGIT-2/19 of 1969 falling in the first group has given evidence at Ex. 4/W. Paras. 1 and 2 in his evidence Ex. 4/W are as follows:—

"I am working in the company for 12 years before my removal. I was working as Cleaner for one year. Thereafter I was appointed as a Driver. I worked at Salgaum for one year. At Barga for 4 years, at Codli for six months, at Pali for one year, at Talaulim for 2/3 months, at Erak for 4 months, at Tudou for two monthsh. I was stationed at Capxem plot before I was removed from service. I produce letter dated 6th Octo. 1964 regarding my pay.

I used to station my trucks at Cacora Garage but my sphere of activity was either on mine or plot."

29. It is interesting to note that this witness has not been cross-examined regarding his place of work and nature of duties. There is therefore no reason to reject his evidence. I am satisfied from his evidence that he was a mine worker at the relevant time.

30. The complainant Shri Baburao Raoji Patil in complaint No. CGIT-2/39 of 1969 falling in the second group has given evidence at Ex. 5/W. In his evidence he says that he worked in Pandurang Timblo Co. for 5 years from 1963 December, that he was working as a Diesel Mechanic at Cacora Garage and that he used to be sent at mines for doing work from time to time.

31. It is interesting to note that he has not been cross-examined on any point. From the evidence of the complainant, there can be no doubt that he used to be sent to various mines from time to time for doing work. It means that his services were utilised both in the Garage as well as on mines. It can be therefore inferred that he was doing work incidental to or connected with mining operations.

32. The complainant Shri Cyprian Fernandes, in complaint No. CGIT-2/8 of 1969 falling in the second group has filed affidavit at Ex. 2/W and given evidence at Ex. 9/W. Para. 1 of his affidavit Ex. 2/W is as follows:—

"I the undersigned have worked as a Petrol Mechanic, for Messrs. Pandurang Timblo Industries from the year 1956. I was in charge of attending to the repairs and maintenance of mining equipments like Trucks etc. etc. and the nature of my work entailed me going to the mines for month together or lesser days as accordance to the exigencies of work on the mine. For administrative purposes I was registered at the maintenance Garage at Cacora. I have been regularly transferred for work to the mines."

33. He has given evidence at Ex. 9/W. In his cross-examination he states as follows:—

"We used to repair trucks, compressors, wagon drills, shovels, Catter-Pillars, Euclid Dumper i.e. Mining Machinery.

Mining Machinery used to come to garage for repair..."

34. It appears from the evidence of this witness that he was engaged in doing repair works of trucks, compressors, Wagon Drill Shovels etc. i.e. mining machinery in Cacora Garage and that he also used to go to mines for making repairs. There can be therefore no doubt that this complainant was doing work incidental to or connected with mining operations.

35. The complainant Shri Joaquim D'Millo, in complaint No. CGIT-2/11 of 1969 falling in the second group has filed affidavit at Ex. 1/W and given evidence at Ex. 3/W. Para 1 in his affidavit is as follows:—

"I, the undersigned am employed with Messrs Pandurang Timblo Industries from March, 1964 in the capacity of a Petrol/Diesel Mechanic and was entrusted with Shovels compressors and Trucks working on the mine of the company. My duties entailed my working on the mines of the company and I can produce letters that I have been transferred from mine to mine and from mine to Garage. I was originally appointed on the Godli Mine."

36. This witness has been cross-examined at Great length but not on the point regarding his place of work and nature of duties. There is therefore no reason to reject his affidavit on this point. I am satisfied from his affidavit that he was doing repairs to shovels, compressors and trucks working on the mines of the company, and that he used to go to the mines also for doing the work. There can be therefore no doubt that he was doing the work incidental to or connected with mining operation at the relevant time.

37. The complainant Shri Dattaram Shriodkar in complaint No. CGIT-2/21 of 1969 falling in the second group has given evidence at Ex. 5/W. Para. 1 in his evidence Ex. 5/W is as follows:—

"I was in the service of the Timblo Co. for about 8-9 years before my removal. I was working as a

mechanic on Petrol vehicle. I used to be sent to mines for repairing work. If the work was much, I used to continue on mines for 2-3 days till the work was finished. I used to receive my wages at Cacora Garage."

38. This witness has been cross-examined by the opponent on other points but not on the points regarding his place of work and nature of duties. I am satisfied from his evidence that he was doing repair work as a mechanic on Petrol vehicles and that he used to be sent to mines for repairing vehicles working on mines. There can be therefore no doubt that he was doing work incidental to or connected with mining operations at the relevant time.

39. The complainant Shri Shivaji Rama Golatkar in complaint No. CGIT-2/3 of 1969 falling in the second group has given evidence at Ex. 9/W. Para. 1 in his evidence is as follows:—

"I was working as mechanic in the company for 8 years before my dismissal. I was employed in the beginning at Pale Mines. After one year I was transferred to Sonshi mine as Asstt. mechanic. From Sonshi I was re-transferred to Pale where I worked for 4/5 years. Thereafter I was transferred to Cacora Garage."

40. This statement of the complainant has not been challenged. There can be therefore no doubt that the complainant was a mechanic at mines in the beginning and that he was ultimately transferred to Cacora Garage as mechanic, where the repairs and maintenance of mine equipment used to be carried out. I am satisfied from his evidence that he was doing work incidental to or connected with mining operation at the relevant time.

41. The complainant Shri Joseph Montoiro in complaint No. CGIT-2/24 of 1969 falling in the second group has filed affidavit at Ex. 1/W and given evidence at Ex. 7/W. Para. 1 of his affidavit Ex. 1/W is as follows:—

"I have worked for Messrs Pandurang Timblo Industries as a Mechanic for the last sixteen years. I have worked from the year 1952 and was appointed on the Cochin Mine where I worked for one year and thereafter I was transferred to Salgini Mine and later on the Godli Mine. I was transferred to the Cacora Garage from the Bondra Advona Mine by a letter dated 5th July, 1967. I produce the letter as an Exhibit."

42. In his cross-examination Ex. 7/W he says that during his transfer from one place to other he was also transferred to Tudo and Erac Mines, that Mines at Tudo and Erac are manganese ore mines, and that when he was working in Cacora Garage he used to go for work from Naveli by train or bus.

43. From the evidence of the complainant referred to above, there can be no doubt that he was a mechanic doing repair and maintenance work of mining equipments in the Cacora Garage and at mines. I am therefore satisfied that he was doing the work incidental to or connected with mining operations at the relevant time.

44. The complainant Shri, Edward Gracias in complaint number CGIT-2/26 of 1969 falling in the second group has filed affidavit at Ex. 1/W and has given evidence at Ex. 6/W. Para 1 in his affidavit Ex. 1/W is as follows:—

"I say that I have worked for Messrs Pandurang Timblo Industries from the year 1956 in the capacity of a Mechanic and was entrusted with maintenance work in the compressor section and also on trucks. My duties entailed my going to the mines where I had to stay for 15 days or 10 days according to the exigencies of work. I have undertaken work at Borga, Sonshi, Pale, Godli, Erac etc. For the purpose of my registration I was registered at the Cacora Garage which is the maintenance garage."

45. In his cross-examination he says as follows:—

"I joined the company as Junior Mechanic. One year after joining the company I was given A grade. During these periods, I used to go to

Mines for making minor repairs of trucks etc. but if there were heavy repairs, the machines concerned used to be sent to the Garage where we used to make repairs. On mines there used to be some trucks belonging to the mines and there used to be some trucks taken on hire. We were not repairing the trucks taken on hire for mine work. We were making minor repairs of trucks taken by other persons from the company on hire purchase basis. Except one truck, no other trucks, shovels etc. were attached to Cacora Garage."

46. From the evidence of this complainant it is clear that he was making heavy repairs to the machinery at Garage and minor repairs of trucks belonging to the company etc. at the mines. As these machineries are meant for mining operation, it is to be inferred that this complainant was doing work incidental to or connected with mining operations at the relevant time.

47. The complainant Shri John Pereira in complaint No. CGIT-2/2 of 1969 falling in the second group has given evidence at Ex. 4/W. Para. 1 in his evidence is as follows:—

"I was working in Pandurang Timblo Co. for 8-9 years. Before my dismissal, I was working on Hobart Machine as a Welder. I used to go on plots or mines for doing welding work. Some times I was staying there for longer time also. My name was registered in Cacora Garage."

48. This witness has not been cross-examined on the point regarding the place of work and nature of duties deposed by him in his evidence. There can be, therefore, no doubt from his evidence that he was doing welding work in the garage as well as on mines and plots. It can be, therefore, inferred that he was doing work incidental to or connected with mining operations, at the relevant time.

49. The complainant Shri Sebastian Peter Fernandes in complaint No. CGIT-2/18 of 1969 falling in the second group has given evidence at Ex. 12/W. His evidence Para. 1 is as follows:—

"I am working in the company since 1960, as motor mechanic (petrol). I was appointed in Cacora Garage. I was transferred from Cacora Garage to Pale Mines where I worked for 3 years. Thereafter I was again re-transferred to Cacora Garage. I produce the transfer order in this respect in this Court."

50. His evidence on the point of transfer from Cacora Garage to Mine and from Mine to Cacora Garage has not been challenged in the cross-examination. There can be, therefore, no doubt that this complainant has worked on mine and doing mining work as well in garage. His work is incidental to or connected with mining operations.

51. The complainant Shri Diogo Inacio Fernandes, in complaint No. CGIT-2/22 of 1969 falling in the second group has given evidence at Ex. 9/W. His evidence in Para. 1 in Ex. 9/W. is as follows:—

"I worked for the company for eight years as driver before I was removed from service. In the beginning I was working as driver in Erak mine. Thereafter I was transferred to Codli mine where I worked for 3 months and thereafter I was transferred to Borgia mine for about 12 months. Then I was transferred to Talaulim mine where I worked for 6 months. I produce my transfer order from Talaulim mine to Borgia Donger mines dated 10th March, 1965. I also produce letter dated 5-10-1964 regarding revision of my pay. I have also worked on Salginim and Tudou mine. I also worked at Pale and Suctolem mines. Before I was removed from service I was at Cacora Garage. My truck was stationed at Cacora Garage. I was taking salary from Cacora Garage. I was taking my truck every morning to the place where I was asked to work, like mine or plot. After finishing the work I used to return to Cacora Garage in the evening."

52. In his cross-examination he says that Erak, Salginim and Tudou mines are Ferro-Manganese mines.

53. It seems that he has worked in Iron Ore Mines as well as Ferro-Manganese mines on trucks. Though he was at Cacora Garage at the time of dismissal and taking salary from Cacora Garage he was taking his trucks every morning where he was asked to work like mine or plot. It seems that he was working on mines.

54. The complainant Shri Digambuer Korzuemkar in complaint No. CGIT-2/6 of 1969 falling in the second group has given evidence at Ex. 5/W. His evidence in para. 1 of Ex. 5/W. is as follows:—

"I was working in Pandurang Timblo Co. since 1964. In the beginning I joined the service at Cacora Garage. Thereafter I was transferred to Pali mine. From Pali mine, I was again transferred to garage. I am producing my transfer order in Court."

55. This complainant has not been cross-examined on the point regarding his transfer from Garage to Mine and Mine to Garage. As he was transferred to mine it is clear that he was doing mining work. It can also be inferred from his evidence that he must be doing work incidental to or connected with mining operations in the garage otherwise he would not have been transferred to mine and from mine to garage.

56. The complainant Shri Imam Hussain Kaji, in complaint No. CGIT-2/41 of 1969 falling in the second group has given evidence at Ex. 7/W. para. 1 in Ex. 7/W. is as follows:—

"I was working in Pandurang Timblo Co. since March, 1963 as Diesel Mechanic. I was stationed at Cacora Garage. I used to go for work on mines as well as on plots....."

57. Evidence of this complainant on the point regarding his going to mine and plot work from Garage is not challenged. As he goes to mine for work in his capacity as Diesel Mechanic, it is clear that he was doing work incidental to or connected with mining operations of the relevant time.

58. The complainant Shri Diago Fernandes, in complaint No. CGIT-2/31 of 1969 falling in the second group has given affidavit at Ex. 1/W. Para. 1 of his affidavit, Ex. 1/W. is as follows:—

"I am an employee of M/s. Pandurang Timblo Industries from the year 1964 and am working in the capacity of a Petrol Mechanic on Vox Vaggon Jeeps and other petrol trucks stationed on the mines. My duties entailed me to go on the mines for short periods and attend to repair work. I was stationed for administrative purposes on the Cacora Garage at Cacora but was for the purpose of work asked to do work on the mines."

59. This complainant has given evidence at Ex. 6/W. He confirms his affidavit. He has not been cross-examined in respect of his evidence in para. 1 of the affidavit referred to above. His evidence, therefore, stands unchallenged. From his evidence I am satisfied that he was going to mine for doing repair work always though he was stationed at Cacora Garage for administrative convenience. It can be, therefore, inferred from his affidavit that he was doing work incidental to or connected with mining operations at the relevant time.

60. The complainant Shri Pondori Chondru Naik, in complaint No. CGIT-2/34 of 1969 falling in the second group has given evidence at Ex. 6/W. para. 1 in Ex. 6/W. is as follows:—

"I was working as Lorry Driver in the company for 7/8 years before my removal from service. I worked at Talaulim mine for 6 months, Borgia Mine for 2/3 months, Tudou Mine for 2/3 months, Salginim Mine for 2/3 months, Pale Mine for 4/5 months, Sonshi Mine for 5/6 months, Suctolim Mine for 2/3 months, Codli Mine for 5/6 months, Erak Mine for 5/6 months and Cacora Garage for 5/6 month."

61. As the complainant has not been cross-examined at all his evidence in para. 1 in Ex. 6/W. referred to above goes unchallenged. I am satisfied from his evidence that he was working as Driver on mines and that he continued to do the same work even in garage at the time of his removal. It can be inferred from this that he was doing work incidental to or connected with mining operations.

62. The complainant Shri Salvador Mendes, in complaint No. CGIT-2/14 of 1969 falling in the second group has given evidence at Ex. 5/W. Para. 1 of Ex. 5/W. is as follows :

"I was working for Pandurang Timblo Co. since 1953. I was a petrol Mechanic. I was sent on mines for work although my name was registered at Cacora Garage."

63. Evidence of this witness has not been challenged on any point. There can be, therefore, no doubt that the complainant is a Petrol Mechanic and that he used to be sent on mines for work though his name was registered in the Cacora Garage. As in fact he was sent on mines for work, he is a mine worker.

64. The complainant Shri Naguesh Redkar, in complaint No. CGIT-2/13 of 1969 falling in the second group has given evidence at Ex. 6/W. Para. 1 in Ex. 6/W. is as follows :—

"I joined the company in the year 1963. I was working as a bench Fitter in Cacora Garage. Sometimes I used to be sent to various mines for work."

65. Evidence of this witness has not been challenged on the point that he used to be sent various mines for work. As this complainant used to go to various mines for work, it is clear that he was working at mines and doing work incidental to or connected with mining operations. Otherwise he would not have been sent to mines for work.

66. The complainant Shri Ignatious Fernandes, in complaint No. CGIT-2/4 of 1969 has given evidence at Ex. 6/W. Para. 1 in Ex. 6/W. is as follows :—

"I was working in Pandurang Timblo Co. for 11 years before the strike commenced, as Electrician. I was employed in Cacora Garage. I used to go to company's mines and plots for work. If there was extra work at mines, I used to stay there. If the work was finished, I used to return to the garage."

67. This complainant has not been cross-examined on the point that he used to go to Company's mines and plots for works and that if there was extra work at mines he used to stay there. It is, therefore, clear that the complainant was working on mines and that he used to stay at mines for extra work. If he would not have been a mine worker, he would not have been sent to mines for doing work. It can be inferred that he was doing work incidental to or connected with mining operations.

68. The complainant, Shri Sashikant Kakodkar in complaint No. CGIT-2/9 of 1969 falling in the second group has filed affidavit at Ex. 1/W. and given evidence at Ex. 7/W. Para. 1 in Ex. 1/W. is as follows :—

"I have worked for the company M/s. Pandurang Timblo Industries for the last eight years. I work in the capacity of a Fitter on the lathe Machine and do working of fitting, tightening nuts and other incidental work. When there was no work at the Garage I was regularly sent to the mine to attend to machinery on the mine and tighten nuts and bolts on heavy machinery working on the mine. For the

purpose of administration I was registered at the Cacora maintenance Garage. The salary I was drawing is Rs. 278/- per month."

69. Para. 2 in Ex. 7/W. is as follow :—

"I was sent to the mines for fitting the rollers of Caterpillar. I used to repair broken bolts of the machinery i.e. Shovel. I used to work on Lathe machine at Cacora Garage. There was a common Lathe machine used by both companies, in turn. I used to be sent for other work whenever Latho Machine used to be used by the other company."

70. This witness has been cross-examined at great length regarding the nature of work he was doing in the garage and on the mines. He stood the severe test of cross-examination. There can be no doubt from his evidence that he used to go to mines for doing work. I am satisfied from his evidence that he was doing work incidental to or connected with mining operations.

71. The complainant Shri Mathew Carvalho in complaint No. CGIT-2/40 of 1969 falling in the second group has filed affidavit at Ex. 1/W. and given evidence at Ex. 6/W. para. 1 in his affidavit Ex. 1/E is as follows :—

"I have worked for M/s. Pandurang Timblo Industries in the capacity of a Diesel Mechanic on compressors, Shovels and Trucks and was responsible for maintenance work of this mining machinery. My duties entailed me going to the mines and working there until such machinery as required overhaul or repair were done. This entailed my staying on the mining premises for periods of time from one week to fifteen days sometimes. For the purpose of administration I was registered at the Cacora Garage which is the repair maintenance garage looking after the mining equipment of the company. I have worked for the company for nine years."

72. In his cross-examination the complainant says that he was looking after repairs and maintenance of Compressor, Shovel, Truck, Wagon Drill, Motor Pump, Rock Drill, and that all these machines were operating on diesel.

73. From the evidence of this complainant I find that he was doing repair and maintenance work of mining machinery on the mines as well as in the Garage. He was, therefore, doing the work incidental to or connected with mining operations.

74. The complainant Shri Santano Carvalho, in complaint No. CGIT-2/16 of 1969 falling in the third group has given evidence at Ex. 6/W. He says in his evidence Ex. 6/W. para. 1 that he was working as a Mechanic in the Pandurang Timblo Co. since 1963 in Cacora Garage. On his evidence it is clear that he is purely working right from the beginning at Cacora Garage and that he was neither transferred nor sent to mines for work. He is working on Cacora Garage as Mechanic.

75. The complainant Shri Uttom Chari, in complaint No. CGIT-2/36 of 1969 falling in the third group has filed affidavit at Ex. 5/W. and evidence at Ex. 8/W. Para 1 in his affidavit at Ex. 5/W. is as follows :—

"I have worked for Messrs Pandurang Timblo Industries at Cacora Garage in the capacity of a Tinsmith from the year 1965....."

76. It is clear from his affidavit and evidence that he is working as a Tinsmith from the year 1965 in Cacora Garage. It does not appear from his evidence that he was transferred or sent to mines for work.

77. The complainant Shri Premanand Baikar, in complaint No. CGIT-2/17 of 1969 falling in the third group has given evidence at Ex. 3/W. He says in his evidence in para. 1 that he was in the service of Pandurang Timblo Co. for 6-7 years, and that he was working as Petrol Mechanic.

78. It does not appear from his evidence that he was either transferred to mines or sent to mines for work. He is working in the Garage right from the beginning as Petrol Mechanic.

79. The complainant Shri Sayad Zaimul, in complaint No. CGIT-2/7 of 1969 falling in the third group has given evidence at Ex. 3/W. Para. 1 in his evidence says that he was working in the Pandurang Timblo Co. for 7 years, as Mechanic petrol. It does not appear from his evidence as to whether he was transferred or sent to mines for work. He was only working in the Garage.

80. The complainant Shri Naresh Kerkar, in complaint No. CGIT-2/20 of 1969 falling in the third group has filed affidavit at Ex. 1/W. and given evidence at Ex. 4/W.

81. It appears from his affidavit and evidence that the work of turner is to operate the machine and not repair it and that repair work is normally done by the mechanic and the mter. In his affidavit he says that he was working as a Turner from 8th May, 1963 in Cacora Garage.

82. Shri Shridhar Narain Prabhu Chodnekar is in charge of the Cacora Garage. He has filed affidavit on behalf of the opponent at Ex. 5/E. He has also given evidence at Ex. 13/E.

83. In his affidavit Ex. 5/E he says that in the Cacora Garage the work of repairs and maintenance of the mining machinery utilised by M/s. Pandurang Timblo Industries on their mines used to be carried out. In addition to this, repair and maintenance of the machinery not employed in the mine used to be carried out.

84. In his cross-examination Ex. 13/E he says as follows:—

"The work of repair and maintenance which used to be done at Cacora Garage formerly is now being done at Mines. The workers working in Cacora Garage who had not participated in strike and who are loyal workers are transferred to Mines. They are not retrenched. There are about 7 workers of this type."

85. He also says in his evidence that there used to be transfers of employees working in Cacora Garage to Mines and of the employees working in Mines to Cacora Garage that the staff which was meant for doing repair and maintenance work in Garage is continuously doing the same work in mines. He also says that if trucks and shovels break down at Capxem Jetty he goes there for getting the work done.

86. Shri S. N. P. Chodnekar has given evidence in approval application No. CGIT-2/2 of 1969. Certified copy of this statement is produced in this case by the Union on behalf of the complainants, at Ex. 32/W.

87. In his cross-examination in that application Ex. 32/W. he says as follows:—

"In Cacora Garage repairs of automobiles and Mining Machinery including heavy machinery are carried out. By mining Machinery I mean the Mining Machinery of Pandurang Timblo Ltd. To carry on this repairs experienced staff, like Mechanics, Welders, Turners, Fitters etc. are employed. This staff goes to the Mine for making repairs in emergency cases. If necessary Machinery are brought to the Cacora Garage for repair....."

88. From the evidence of the opponent's witness referred to above there can be no doubt that the work of repairs and maintenance of mining machinery utilised by M/s. Pandurang Timblo Industries on their mines used to be carried out in the Garage and that the staff which was meant for doing repairs and maintenance work of mining machinery in Cacora Garage was continuously doing the same work on the mines and that the employees working in Cacora Garage used to be transferred to mines and from mines to Cacora Garage.

89. If this evidence is considered alongwith the evidence of the complaints falling in group 1 and 2 referred to above, it would be clear that these complainants were doing work incidental to or connected with mining operations within the meaning of Section 2(1)(h) of the Mines Act, 1952.

90. It is contended on behalf of the opponent that the Cacora Garage is not a mine within the meaning of Section 2(1)(j)(vii). In support of this contention reliance is placed on the evidence of Shri Vishvanath Simi Sambari's affidavit at Ex. 24/E and evidence at Ex. 25/E, Shri S. N. P. Chodnenkar Ex. 13/E and Licence No. GOA/24 at Ex. 26/E.

91. Licence Ex. 26/E shows that the Cacora Garage was registered as Auto Repair workshop. It is contended that as Cacora Garage is registered under the Factories Act, it is a factory. Merely because Cacora Garage is registered as a Factory and licence has been taken, it does not become a

factory under the Factories Act. It has to be established from the circumstances and upon evidence that the factory falls under definition of Section 2(m).

92. If the Cacora Garage is a mine, it would not become a factory within the meaning of Section 2(m)(ii) of the Factories Act, 1948.

93. Section 2(m)(ii) of the Factories Act, 1948 is as follows:—

"(i) 'factory' means any premises including the precincts thereof

(ii) whereon twenty or more workers are working or were working on any day of the preceeding twelve months and in any part of which a manufacturing process is being carried on without the aid of powers, or is ordinarily so carried on but does not include a mine subject to the operation of the Mines Act, 1952 (XXXV of 1952) or a railway running shed."

94. It is clear from this definition that a mine subject to the operation of the Mines Act 1952 or a Railway running shed is not a factory within the meaning of Section 2(m)(ii) of the Factories Act, 1948.

95. Point for consideration is whether the Cacora Garage is a mine within the provisions of Mines Act, 1952.

96. As per Section 2(i)(j)(vii) 'mine' means any excavation where any operation for the purpose of searching for or obtaining minerals has been or is being carried on and includes all workshops situated within the precincts of a mine and under the same management and used solely for purposes connected with that mine or a number of mine under the same management.

97. Shri Vishvanath Sinai Sambari is working in M/s. Pandurang Timblo Industries as a Manager. He speaks about Cacora Garage in his affidavit Ex. 24/E.

98. According to him, Cacora Garage is situated at Curcholem. The nearest mine is situated about 13 miles from the Cacora Garage and the further most mine of the company is situated at Sonshi which is situated 34 miles from the said garage. The activities carried out by the company in the said establishment related to repairing of barges, repairs to mines equipments of the company and other mine owners, repairs to cars of mine owners and other people.

99. Shri S. N. P. Chodnenkar also says in his affidavit Ex. 5/E. that in the Cacora Garage they used to do not only the work of repairs and maintenance of the mining machinery utilised by M/s. Pandurang Timblo Industries on their mine, but also used to do repairs and maintenance of the machinery which was not employed on the mines and that this Garage used to do the work of others.

100. It appears from the evidence of Shri Sambari and Chodnenkar referred to above that the Cacora Garage is not situated within the precincts of a mine as it is far away from the nearest mine even and that it was not solely catering the needs of the opponent only but it was doing work for others also. Hence it cannot be said that the Cacora Garage is a mine within the meaning of Section 2(1)(j)(vii) of the Mines Act, 1952.

101. As regards the five complainants in the third group i.e. Complaint Nos. CGIT-2/7 of 1969, CGIT-2/16 of 1969, CGIT-2/17 of 1969, CGIT-2/20 of 1969 and CGIT-2/36 of 1969, they were neither transferred from mine to Garage nor from Garage to mine nor they were sent to mine for work. As they have not proved that they were doing the work incidental to or connected with mining operations, they cannot be said to be persons employed in the mines within the meaning of Section 2(1)(h) of the Mines Act, 1952.

102. As regards other complainants falling in first and second group, they can be said to be persons employed in a mine as discussed above. Hence my finding on point No. 1 is as above.

Point Nos. (ii) and (iii)

103. It is common ground that the Central Government has referred to this Tribunal for adjudication an industrial dispute by its order No. 24/5/69 ERI(i) dated 20-3-1969, bearing reference No. CGIT-2/2 of 1969.

104. The dispute referred to me is as follows:—

"Whether the action of the management of M/s. Pandurang Timblo Industries, Margao, in implementing

the final recommendation of the Central Wage Board for Iron Ore Mining Industry in respect of the workmen employed in their Iron Ore Mines with effect from the 1st January, 1968, and not from the 1st January, 1967, as accepted by the Government of India, is justified? If not, to what relief are the workmen entitled?"

103. The complainants in question contend that they are covered by this dispute bearing Ref. No. CGIT-2/2 of 1969.

106. The opponent on the other hand contends that the complainants in question are not covered by the dispute pending before this Tribunal because they are working in Cacora Garage and not in mines.

107. Out of 28 complainants in question I have already held while deciding point No. (i) that 23 complainants can be said to be the persons employed in mines within the meaning of section 2(1)(b) of the Mines Act, 1952.

108. Hence the dispute between these 23 complainants in question and the opponent is covered by Reference No. CGIT-2/2 of 1969.

109. As regards the five complainants viz. complaint Nos. CGIT-2/7 of 1969, CGIT-2/16 of 1969, CGIT-2/17 of 1969, CGIT-2/20 of 1969 and CGIT-2/36 of 1969 they are exclusively working in Cacora Garage which is not a mine within the meaning of Section 2(1)(b)(vii). Hence the dispute between these 5 complainants and the opponent cannot be said to be a dispute relating to a mine.

110. By settlement between the Union and the opponent, the opponent implemented the recommendations of the Central Wage Board for Iron Ore Industries with effect from 1-1-1968 and kept the question regarding its implementation with effect from 1-1-1967 open to be considered by subsequent negotiations etc. As per the settlement the opponent gave the Wage Board scales to all the employees including all the complainants. The names of these complainants appear in the Fitment Chart. It is, therefore, contended that all the complainants are covered by the dispute bearing No. CGIT-2/2 of 1969 referred to above. This contention cannot be accepted.

111. It is the discretion of the opponent to extend the benefits to any employee who is not even covered by the Wage Board recommendations or who is not an employee in a mine.

112. Shri George Vaz for the complainants relies in Para. 1 of the order of Resolution No. WB-2(3)/67 dated 3-6-1967 published in the Gazette of India, Extraordinary, Part I—Section I dated 7-6-1967 to show the extent of industry covered by the recommendations of the Wage Board.

113. Para. 1 of the order of the Resolution is as follows:—

"1. Extent of Industry Covered

Iron Ore mining industry will include all activities connected, directly or indirectly, with the mining or iron ore such as prospecting, survey, mining and preparation of ore, ore loading and ore handling, all engineering mechanical and electrical installations, repairs and maintenance, transportation, stores, laboratory and quality control, medical and sanitation, welfare and education, watch and ward etc. It will also include all administrative and record keeping offices in the mining areas and those in the districts within which the mining areas are situated. If beneficiation (washing and screening) sintering and pelletisation plants are also situated in the mining areas, they too will be covered by the iron ore mining industry."

114. It is clear from para. 2 of the order of the Resolution that the employees will be entitled to the benefits of the Wage Board recommendations if they come within the purview of clause (s) of Sec. 2 of the I.D. Act, 1947.

115. In the present case out of 28 complainants, 5 complainants referred to above are working exclusively in Cacora Garage which is not a mine within the meaning of Section 2(1)(b)(vii) of the Mines Act, 1952. Hence the dispute between the opponent and the five complainants cannot be considered as a dispute relating to a mine. Central Government would not be the appropriate Government for referring a

dispute between these five complainants and the opponent within the meaning of Section 2(a) of the Industrial Disputes Act, 1947.

116. As the Central Government is not the appropriate Government for referring the dispute relating to these five complainants and the opponent, it cannot be said that these five complainants are covered by the industrial dispute bearing Ref. No. CGIT-2/2 of 1969 referred to me by the Central Government for adjudication.

117. As regards the other 23 complainants, they are the persons working on the mines within the meaning of Section 2(1)(b) as mentioned above. Hence the dispute between 23 complainants and the opponents would be a dispute relating to a mine. Central Government would be appropriate Government under Section 2(a) of the I.D. Act, 1947.

118. The dispute between the 23 complainants and the opponents is covered by Ref. No. CGIT-2/2 of 1969 referred to me for adjudication. Hence these 23 complainants are covered by reference No. CGIT-2/2 of 1969 pending before me. Hence my finding on point Nos. (ii) and (iii) are as above.

Point No. iv

119. It is contended that this Tribunal has no jurisdiction to entertain the 28 complaints made by the 28 complainants in question because they are not covered by the dispute bearing Ref. No. CGIT-2/2 of 1969 pending before me, and because there is no violation of provisions of Section 33(2)(b) of the I.D. Act, 1947 on the part of the opponent.

120. It is common ground that enquiries were held against 28 complainants and other employees for the misconducts alleged to have been committed by them during the periods of strike. In these enquiries, these complainants were held guilty of misconducts, alleged to have been committed by them. The opponent dismissed them during the pendency of Reference No. CGIT-2/2 of 1969.

121. In respect of the employees working on mines, the opponent had filed applications for approving the action of dismissing the employees, but in respect of these 28 complainants in question they have not filed approval applications for approving opponent's action of dismissing them because according to the opponent, these 28 complainants in question are not the persons covered by Ref. No. CGIT-2/2 of 1969 and it was not necessary to file applications for approving its action in dismissing them. According to the opponent, it cannot be said that there was any violation of the provisions of Section 33(2)(b) of the I.D. Act, and on account of this, the complaints filed by these 28 complainants cannot be entertained for want jurisdiction.

122. As regards the five complaints in question viz., Complaint Nos. CGIT-2/7 of 1969, CGIT-2/16 of 1969, CGIT-2/17 of 1969, CGIT-2/20 of 1969, and CGIT-2/36 of 1969 I have already held that they are not the persons covered by Ref. No. CGIT-2/2 of 1969. Hence it was not necessary to file approval applications in respect of these five complaints for approving the opponent's action in dismissing them, complying with the provisions of Section 33(2)(b) of the I.D. Act, 1947. It cannot be said that there was any violation of provisions of Section 33(2)(b) of the I.D. Act, in respect of these five complainants. They have no right to file complaints under Section 33A of the I.D. Act, 1947, claiming reinstatement with continuity of service and back wages on the allegations that the enquiries held against them were vitiated. This Tribunal has therefore no jurisdiction to entertain these five complaints under Section 33A of the I.D. Act, 1947.

123. As the other 23 complainants are covered by Ref. No. CGIT-2/2 of 1969, it was necessary for the opponent to file approval applications against them under Section 33(2)(b) of the I.D. Act for approving its action in dismissing them. As the opponent failed to do so, it has contravened the provisions of Section 33(2)(b) of the I.D. Act, 1947. Hence these 23 complainants have right to file complaints under Section 33A of the I.D. Act, 1947. This Court has therefore jurisdiction to entertain these complaints and consider them on merit. Hence my finding on Point No. iv is as above.

Point No. v

124. Shri Ramesh Desai for the opponent contends that the Cacora Garage has been closed with effect from 9th April, 1969. In respect of this contention he relies on the evidence of Shri Vishvanath Sinai Sambari Ex. 24/E and 25/E and Shri S. N. Chodnenkar, Ex. 5/E and 13/E.

125. The employees on the other hand contend that Cacora Garage has not been closed and that it is still continuing.

126. Shri Vishvanath Sinai Sambari is the Manager in the opponent's company. His evidence shows that Cacora Garage was closed with effect from 9th April, 1969 because it was running in losses.

127. Shri S. N. P. Chodnenkar is in charge of Cacora Garage. His affidavit Ex. 5/E shows that the management took a decision to close down the said workshop in the month of March 1969 and that the said garage is closed from 10th April, 1969.

128. One of the employees viz., Shri Pramanand Raikar in his evidence Ex. 3/W in complaint No. CGIT-2/17 of 1969 admits in his cross-examination that repairs of mining machinery, which used to be done in the past in the Cacora Garage are no longer done now. He further says that Shri Gude has taken contract to repair scrapped trucks and that no other work except repairs of trucks and small cars is done in the Cacora Garage. His evidence also shows that he has not received closure notice but there was notice on the Notice Board of the Garage. It appears that some closure notices were issued.

129. If we consider the evidence of S/Shri Sambari, and Chodnenkar alongwith partial admission given by Raikar a complainant, there can be no doubt that Cacora Garage has been closed. Hence by finding on Point No. v is as above.

Point No. vi

130. It is contended on behalf of the opponent that the complainants in question would not be entitled to reinstatement even if their dismissals are held not justified, because Cacora Garage in which they were working has been closed with effect from 9/10th April, 1969.

131. Shri George Vaz for the complainants contends that Cacora Garage which is said to have been closed with effect from 9/10th April, 1969 was not a separate industrial establishment, that all branches of Pandurang Timblo Industries together form one integrated industrial unit within the meaning of Section 2(j) of the I.D. Act, 1947, that the employees from one establishment to another used to be transferred and that their scales of pay were more or less the same and that on account of this the employees in question will have to be reinstated in case their dismissals are set aside.

132. In this case S/Shri Sambari and Chodnenkar have given certain important admissions which go to support the contention raised by Shri Vaz. referred to above.

133. Shri Sambari, Ex. 25/E admits in his cross-examination that transfer of employees from mines to Cacora Garage and vice-versa used to take place and that all employees working in different units of the employer are naturally treated as members of one unit.

134. Shri Chodnenkar, Ex. 13/E in charge of Cacora Garage says in his cross-examination as follows:—

"The work of repair and maintenance which used to be done at Cacora Garage formerly is now being done at Mines. The workers working in Cacora Garage who had not participated in strike and who are loyal workers are transferred to Mines. They are not retrenched. There are about 7 workers of this type."

We have not maintained seniority list of workers working in Cacora Garage. We have got a seniority list of employees working in Pandurang Timblo in staff Section. There were 35 workers in Cacora Garage before the strike. Seniority list of these

35 workmen is in the staff section. Out of these 35 employees 7 employees were transferred to mines.

..... It is true there used to be transfers of employees working in Cacora Garage to Mines and of the employees working in mines to Cacora Garage. The staff which was meant for doing repair and maintenance work in Garage is continuously doing the same work in mines. I am supervising the maintenance and repairing of heavy machinery. If trucks and shovels break down at Cepxem Jetty I go there for getting the work done."

135. Certified copy of statement given by Shri Chodnenkar in approval application No. CGIT-2/2 of 1969 has been produced in this present proceedings at Ex. 32/W. It appears from his admission given in that application that the workmen working in the Cacora Garage got the pay scales and other benefits as recommended by the Central Wage Board for Iron Ore Industry.

136. As no separate seniority list of employees working in Cacora Garage was maintained and as there was only one seniority list of all employees working in all establishments, there cannot be any doubt that all employees working in different establishments were considered as members of one unit. It is also admitted that the employees from Cacora Garage used to be transferred to mines and employees working in mines used to be transferred to Cacora Garage. The scales of pay for employees doing similar type of work in the company was more or less the same. All employees got the benefits of the recommendations, of the Central Wage Board for Iron Ore Mining Industry. Even after the closure of Cacora Garage, 7 employees who were in Cacora Garage and who had not joined the strike were transferred to mines. Shri Sambari clearly admits, as referred to above, that all employees working in different units of the company are treated as members of one unit.

I am satisfied from this that all the branches of Messrs. Pandurang Timblo Industries together form one single integrated establishment.

137. As all the branches of the opponent company form one single integrated establishment, the employees working in Cacora Garage have the right to claim absorption in other branches of the company. Hence they would be entitled to reinstatement, if their dismissals are set aside. Hence my finding on point No. vi is as above.

Points vii and viii

138. Shri George Vaz, General Secretary, Goa Mining Labour Welfare Union contends on behalf of the complainants in question that the enquiries held against the complainants were not proper and fair that the principles of natural justice were violated, that there was only a show of enquiry in some cases that the witnesses were not examined in the presence of the employees concerned and that after the receipt of the findings of the enquiry Officer and before passing the dismissal orders, no show cause notices were issued to the complainants concerned and without giving an opportunity to hear them, the complainants have been dismissed with a view to victimise them as they had taken part in the strike and with a view to deprive them of the benefits of the Wage Board recommendations.

139. Shri George Vaz, has produced copy of certified Standing Orders at Ex. 15/W. It prescribes the procedure that has to be followed by the company for holding disciplinary action against its employees. Shri Vaz contends that the company has not complied with the provisions for holding disciplinary action for misconduct, laid down in the standing orders and that on account of this all enquiries held against the complainants are vitiated and that their dismissals are not justified.

140. Shri Ramesh Desai for the opponent contends that the Standing Orders are not applicable to the complainants in question.

141. Certified Standing Orders Ex. 15/W are in respect of Iron Ore Mine at K. Mali, Sunkhatalem, Talaulim, Bar-

godondar, Bondradvona, Erac, Tudou, Sonshi and Shigaon of M/s. Panduranga Timblo Industries Ltd, Margao Goa.

142. Assuming for the sake of arguments that the Standing Orders are not applicable to the complainants in question, yet the opponent will have to follow some procedure while holding domestic enquiry against the complainants, following the principles of natural justice.

143. The principles governing domestic enquiries laid down in various decisions of the Supreme Court can be summarised as follows :—

- (i) A domestic enquiry must be held by an unbiased person. In other words, the person who holds the enquiry should not be biased in favour of or against either of the parties (1963, II, LLJ, Page 392.)
- (ii) A domestic enquiry should be held with scrupulous bonafide with a view to determine whether the charge framed against a particular employee is proved or not and care must be taken to see that these enquiries do not become empty formalities (1963, II, LLJ, Page 452).
- (iii) A domestic enquiry should be held with scrupulous regard for the requirements of the rules of natural justice as question of bona fides or mala fides of the employer are at issue (1963, II, LLJ, Page 452).
- (iv) The employee proceeded against should be informed clearly of the charges levelled against him (1963 II, LLJ, Page 367).
- (v) The evidence on which the charge is sought to be proved must be led in such inquiry in the presence of the workmen himself (1963, II, LLJ, Page 452).
- (vi) The employee should be given a fair opportunity to hear the evidence in support of the charge and to cross-examine the witnesses produced against him and also to rebut the evidence led against him by examining witnesses including himself if he so wishes on any relevant matter (1963, II, LLJ, Page 392).
- (vii) The enquiry officer should clearly and precisely record his conclusions indicating briefly his reasons for reaching the said conclusions (1963, II, LLJ, Page 452).

144. In domestic enquiry the following SINE QUA NON are the requirements for inflicting a detrimental action or punishment upon a workman :

- (i) Charge-sheet
- (ii) Holding domestic enquiry into the charges
- (iii) Report of the enquiry Officer
- (iv) Show cause notice
- (v) Order of punishment

145. The show cause notice to an industrial workman after the enquiry Officer's report and before the order of punishment is analogous to the second show cause notice contemplated by Article 311 of the Constitution. Though the requirements of Article 311 of the Constitution would not strictly apply to the disciplinary action against industrial employee, it is desirable that the workmen is given an opportunity to show cause, why the proposed punishment should not be inflicted upon him. In case of industrial enquiries more care has to be taken to protect workmen, firstly because, often times, industrial workers are illiterate and secondly because the bona fides or mala fides of an employer are always in question in such enquiries (1963, II, LLJ, Page 452—456). There may be extenuating circumstances, such as clear and unblemished record of the workman which the enquiry officer might have lost sight of. The workman may be able to bring such factors in his favour to the notice of the punishing authority.

146. When the show cause notice goes to the workman before inflicting the punishment, the workman gets an opportunity to raise the contentions as mentioned below :—

- (i) The domestic enquiry is vitiated by the rules of natural justice.
- (ii) The findings are not supported by the evidence on record,
- (iii) The evidence against him is not worthy of credence,
- (iv) He is not guilty of any misconduct to merit any punishment at all,
- (v) The punishment proposed cannot be properly awarded on the findings arrived at the domestic enquiry, as the charges proved do not require such severe punishment,
- (vi) In view of his unblemished and clean past record the proposed punishment is not called for, and
- (vii) The proposed punishment is being proposed mala-fide.

147. A perusal of the enquiry proceedings and other documents produced on record in respect all the 28 complaints i.e. 17 Ex-parte enquiries and 11 enquiries where the workmen were present during the enquiry, shows that para. 2 of the dismissal order in respect of each complainant is as follows :—

"As the offences committed by you are of serious nature, the Management is constrained to dismiss you from the services with immediate effect."

148. On reading the dismissal order in each complaint very carefully it appears that in respect of each complainant his previous record was not considered and extenuating circumstances were also not taken into consideration before inflicting the punishment of dismissal. It also appears that after the receipt of the enquiry findings from the Enquiry Officer, the competent authority did not issue show cause notice for showing as to why the employee concerned should not be dismissed for the misconduct held proved by the Enquiry Officer. It means that without giving an opportunity to each complainant for submitting his say as to why the punishment of dismissal should not be inflicted on him and as to why the report of the Enquiry Officer submitted should not be accepted, the authority concerned dismissed the complainants, straightaway.

149. It also appears on scrutiny of the dismissal orders on record before me that the authority concerned has not applied its mind and considered the pros and cons of each enquiry before inflicting the punishment of dismissal. It appears that dismissal orders were passed mechanically without applying mind. I am therefore convinced that the principles of natural justice were violated in these cases.

150. Shri M. P. Kamat, Ex. 10/E, Labour Officer, of the opponent has conducted the enquiries against each complainant given his findings and submitted the same to the authorities concerned. He has produced original enquiry papers in respect of each complainant in the complaint concerned. He speaks in his affidavit Ex. 7/E and evidence Ex. 10/E about the procedure he has followed in conducting the enquiries.

151. Shri Ramesh Desai appearing on behalf of the opponent has produced 3 statements, at Ex. 16/E, 17/E and 18/E, showing the date of enquiry, No. of complaint, No. of witnesses examined, statement of employee, date of finding and date of dismissal. Statement Ex. 16/E relates to the enquiry which were held on 1st April, 1969. Statement Ex. 17/E relates to the enquiries which were held on 5th April, 1969. Statement Ex. 18/E relates to the enquiries which were held on 7th April, 1969.

152. Shri George Vaz, General Secretary of the Goa Mining Labour Welfare Union has filed statement at Ex. 19/W regarding the enquiries held by Shri M. P. Kamat, Labour Officer in respect of employees involved in the approval applications numbering 15.

153. Shri George Vaz has also produced 3 statements at Ex. 36/W, 37/W and 38/W in respect of enquiries held by Shri Kamat on 1st, 5th and 7th April, 1969. Statement Ex. 36/W relates to six enquiries held on 1st April, 1969 statement Ex. 37/W relates to 9 enquiries held on 5th April, 1969, statement Ex. 38/W relates to six enquiries held on 7th April, 1969.

154. It may be noted that the three statements at Ex. 16/E, 17/E and 18/E and three statements at Ex. 36/W, 37/W and 38/W are similar except in one respect. Shri Vaz in Ex. 36/W to 38/W has given timings of enquiries but the same has not been mentioned in the statements Ex. 16/E to 18/E.

155. It is worth noting that the statements at Ex. 36/W to 38/W relates to enquiries of 21 complainants in question. These statements do not include enquiries held on dates other than 1st, 5th and 7th April, 1969.

156. It is clear from Ex. 36/W that six enquiries were held on 1st April, 1969. The enquiry Officer recorded evidence of 19 witnesses and five charge-sheeted workmen. In all he examined 24 witnesses. He gave his findings in respect of these enquiries except the enquiry in respect of complaint No. CGIT-2/5 of 1969 on 2nd April, 1969. He gave his findings in respect of enquiry in complaint No. CGIT-2/5 of 1969 on 6th April, 1969. Authority concerned dismissed the complainants in complaint Nos. CGIT-2/16 of 1969 and CGIT-2/5 of 1969 on 7th April, 1969 and complainants in complaint Nos. CGIT-2/8 of 1969, CGIT-2/37 of 1969, CGIT-2/3 of 1969 and CGIT-2/24 of 1969 on 3rd April, 1969.

157. It appears from the statement Ex. 37/W that the Enquiry Officer held nine enquiries on 5th April, 1969. He recorded evidence of 33 witnesses and 4 charge-sheeted workmen. In all he examined 37 witnesses. He gave his findings in respect of 6 enquiries out of these 9 enquiries on 6th April, 1969 and on 7th April, 1969 in respect of the 3 remaining enquiries. Authority concerned passed dismissal orders in respect of 8 enquiries on 7th April, 1969 and on 8th April, 1969 in respect of the remaining one enquiry.

158. Statement Ex. 38/W shows that enquiry Officer held 6 enquiries on 7th April, 1969. He recorded evidence of 22 witnesses and statement of one charge-sheeted workman. In all he examined 23 witnesses. He gave his findings in respect of these enquiries on the same day i.e. 7th April, 1969 and the concerned authority dismissed the employees concerned on 8th April, 1969.

159. Opponent's witness Shri V. R. Silimcan is working as Manager in Curchorem Office. In his evidence he says that in every case the enquiry officer Shri Kamat translated his statement given in English to the employee concerned either in Konkani or Marathi as the case may be and that after he gave his statement completely, the same was translated either in Konkani or Marathi and explained to the employee concerned, that he used to take 15-20 minutes for giving his statement, that Shri Kamat used to take 5 to 10 minutes for translating his statement either in Konkani or Marathi and explaining the same to the employee concerned. He also says in his evidence that in each enquiry he used to remain present from the beginning till the end. He also says that Shri Kamat used to translate the statement of each witness either in Konkani or in Marathi and explain the same to the employee concerned after the statement of witness concerned was over and for the second time after the whole enquiry was over.

160. On the evidence of Shri Silimcan referred to above it is clear that the Enquiry Officer must have taken at least 1 1/2 an hour in recording his statement and explaining to the workmen concerned twice.

161. Opponent's witness Shri S. N. P. Chodnenkar, Ex. 13/E is in charge of Cacora Garage. In his evidence Ex. 13/E he says that about 15-20 minutes were required for recording his statement in each enquiry. After his statement was recorded the Enquiry Officer translated the same and explained the same to the employee concerned in his own language. This translating his statement and explaining it to the employee concerned in his language required 15 to 20 minutes. He also says that Shri Kamat used to finish all enquiries fixed on a particular day and thereafter he used to make his enquiry report in respect of each enquiry.

162. From the evidence of Shri Chodnenkar it appears that 15-20 minutes were required for recording his statement and that same time was required for explaining his statement to the workmen. It means that about 40 minutes were required for recording his statement and explaining it to the workmen in his own language.

21 G. of I—8

163. Opponent's witness Shri Shivram Sanguemkar, Ex. 20/E is Plot incharge. In his evidence Ex. 20/E he says that about an hour was required for recording his evidence, that after his statement was recorded he continued in the enquiry room till the whole enquiry was over, that each witness required one hour for giving his statement and that enquiry against one worker took whole day for completion.

164. If Shri Sanguemkar is telling the truth it would mean that the enquiry Officer could not have completed so many enquiries on 1st, 5th and 7th April, 1969 as shown in the statement Ex. 36/W, 37/W and 38/W or in the statements Ex. 16/E, 17/E and 18/E.

165. On consideration of the evidence of the 3 witnesses referred to above, it may be taken in general that about half-an-hour must have been required for recording the evidence of each witness in each enquiry. On this basis, time required for examining the 19 witnesses and 5 complainants in the enquiries held on 1st April, 1969 would be about 12 hours. On the same basis time required for examining 33 witnesses and 4 charge-sheeted workmen in 9 enquiries held on 5-4-1969 would be about 18-1/2 hours. Similarly the time required for examining 22 witnesses and one chargesheeted workmen in 6 enquiries held on 7-4-1969 would be about 11-1/2 hours. It is also interesting to note that the enquiry Officer has given findings in respect of 6 enquiries held on 7-4-1969 on the same day. For recording the findings in each one of these 6 enquiries, atleast 1/2 an hour would have been required. On this basis 3 hours would be required for recording his findings. The total working hours would come to about 14-1/2 hours.

166. The circumstance that so many hours as mentioned above would be required for completing the Enquiries etc. as mentioned in the statements Ex. 36/W, 37/W and 38/W referred to above, would indicate that it was not physically possible for the Enquiry Officer to hold so many enquiries and complete them, applying his mind. If it was not physically possible to hold so many enquiries on each day, the only inevitable inference is that the Enquiry Officer must not have followed proper procedure in conducting these enquiries and that only a show of enquiries must have been made. It cannot be therefore said that the enquiries were proper and fair.

167. From the statement Ex. 36/W, it appears that the competent authority dismissed the employees concerned on the next day after the receipt of the enquiry findings. Only in one case out of 6 enquiries, the authority concerned dismissed the worker concerned on 7-4-1969, though the enquiry findings were recorded on 2-4-1969.

168. From the statement Ex. 37/W, it appears that the competent authority dismissed the employees in complaint Nos. CGIT-2/240 of 1969 and CGIT-2/36 of 1969 on the same day, on which the enquiry findings were given by the Enquiry Officer. In respect of others he dismissed them on the next day.

169. From the statement Ex. 38/W it is clear that the competent authority dismissed the employees concerned on the next day after the enquiry findings were recorded by the Enquiry Officer.

170. From the statement Ex. 19/W it appears that out of 15 employees, 12 employees were dismissed on 7-4-1969 by the competent authority. It appears that 12 employees from the approval application group and 10 employees from this complaint group were dismissed on 7-4-1969. In all the competent authority dismissed 22 employees on the same day. It is difficult to find out as to how the competent authority must have gone through all the 22 findings to find out as to whether the charges levelled against the person concerned were proved or not on the material on record. The only conclusion which can be drawn from this is that competent authority must not have applied its mind in taking the decision in dismissing these employees.

171. Statements Exhibits 16/E, 17/E and 18/E (Exhibits 36/W, 37/W and 38/W) relate to 21 enquiries against 21 complainants concerned. There are 7 more enquiries regarding 7 complainants. The following tabular form will show as to when the enquiry took place, as to when enquiry findings were given by the Enquiry Officer and as to when the employee concerned was dismissed.

Complaint No.	Date of enquiry	Date of findings	Date of dismissal
CGIT-2/2 of 1969	27-3-1969	27-3-1969	29-3-1969
CGIT-2/4 of 1969	25-3-1969	28-3-1969	26-3-1969
CGIT-2/9 of 1969	22-3-1969	22-3-1969	22-3-1969
CGIT-2/17 of 1969	25-3-1969	25-3-1969	26-3-1969
CGIT-2/18 of 1969	24-3-1962	24-3-1969	25-3-1969
CGIT-2/19 of 1969		6-4-1969	7-4-1969

172. As regards the enquiries against complainants in complaint No. CGIT-2/4 of 1969 it appears from the original enquiry papers that the 'ex parte' enquiry was held on 25-3-1969 and that findings were given by the Enquiry Officer on 28-3-1969 vide Ex. 1/E. The competent authority issued dismissal order on 26-3-1969 vide Ex. 3/E. The dismissal order mentions that 'as the offences committed by you are of serious nature, the management is constrained to dismiss you with immediate effect. You are hereby advised to contact our Head Office on 28-3-1969 for the settlement of your accounts'.

173. In the beginning copies of enquiry papers and findings were produced in this case before producing the original enquiry papers. Even the copy of findings shows that the enquiry findings were given on 28-3-1969.

174. If the enquiry findings were given on 28-3-1969 it is not understood as to how the competent authority dismissed the complainant on 26-3-1969, i.e., prior to receipt of the Enquiry Officer's findings. It can be inferred from this that the competent authority must have decided to dismiss the employees, making a show of enquiry, as they have taken part in the strike and as they were demanding certain benefits.

175. As regards the enquiry against the complainant in complaint No. CGIT-2/9 of 1969, the enquiry was held against him on 22-3-1969. The Enquiry Officer recorded his findings on 22-3-1969. The competent authority issued dismissal order on the same day i.e. 22-3-1969. The circumstances that completion of enquiry, recording of findings and dismissal of the employee concerned took place on the same day indicates the haste on the part of the competent authority concerned, in getting rid of the person concerned. If that would not have been the case, such haste would not have been there.

176. As regards enquiries against the complainants in complaint Nos. CGIT-2/2 of 1969, CGIT-2/18 of 1969, CGIT-2/34 of 1969, CGIT-2/19 of 1969 I have already observed that the management dismissed these complainants alongwith others without considering their previous records, and extenuating circumstances, and without giving them opportunity to show cause as to why they should not be dismissed. This amounts to violation of principles of natural justice.

177. It appears that formal enquiries were held against 28 complainants concerned, that they were held guilty by the Enquiry Officer and that the competent authority dismissed all of them. There is not a single case in which lighter punishment was given.

178. In the enquiries against the complainants concerned, it appears from para. 1 of the dismissal orders that the opponent made great haste in dismissing the employees without satisfying as to whether charge-sheets etc. were really served on the employees concerned. Para. 1 of the dismissal letter in respect of each ex-parte enquiry is as follows:—

Complaint No. CGIT-2/9 of 1969

"We refer to the charge-sheet issued to you on 14th March, 1969 and the subsequent enquiry held today at our Curchorem office, and regret to inform you that the charges levelled against you have been proved."

Complaint No. CGIT-2/18 of 1969

"We hereby inform you that an ex-parte enquiry was held yesterday as scheduled in connection with the charges levelled against you by the Charge sheet posted to you on 14th March, 1969, have been proved beyond doubts."

Complaint No. CGIT-2/4 of 1969

"We hereby inform you that an ex-parte enquiry was held yesterday at 3-30 P.M. as scheduled in connection with the charges levelled against you by the Charge-sheet posted to you, have been proved beyond doubts."

Complaint No. CGIT-2/17 of 1969

"We hereby inform you that an ex-parte enquiry was held yesterday at 4.30 P.M. as scheduled in connection with the charges levelled against you by the charge-sheet posted to you, have been found proved beyond doubts."

Complaint No. CGIT-2/20 & 41 of 1969

"With reference to the charges levelled against you vide our charge-sheet dated nil and since you refused to attend the enquiry, the enquiry was conducted in absentia as scheduled and an ex-parte decision has been taken".

Complaint No. CGIT-2/7 of 1969

"With reference to the charges levelled against you vide our charge-sheet dated 29th March, 1969 and since you did not attend the enquiry, the enquiry was conducted in absentia as scheduled and an ex-parte decision has been taken."

Complaint No. CGIT-2/16 of 1969

"With reference to the charges levelled against you vide our charge-sheet dated 21-3-1969 and since you did not attend the enquiry, and enquiry was conducted in absentia as scheduled and an ex-parte decision has been taken."

Complaint No. CGIT-2/36 of 1969

"With reference to the charges levelled against you vide our charge-sheet dated 29-3-1969 and since you did not attend the enquiry, the enquiry was conducted in absentia as scheduled and an ex-parte decision has been taken."

Complaint No. CGIT-2/40 of 1969

"With reference to the charges levelled against you vide our charge-sheet dated 29-3-1969 and since you did not attend the enquiry, the enquiry was conducted in absentia as scheduled and an ex-parte decision has been taken."

Complaint No. CGIT-2/13, 14, 31, 6, 22 of 1969

"With reference to the charges levelled against you vide our charge-sheet dated 29th March, 1969 and since you did not attend the enquiry, the enquiry was conducted in absentia as scheduled and an ex-parte decision has been taken."

Complaint No. CGIT-2 34 of 1969

"With reference to the charges levelled against you vide our charge-sheet dated 29-3-1969 and since you refused to attend the enquiry, the enquiry was conducted in absentia as scheduled and an ex-parte decision has been taken."

Complaint No. CGIT-2/19 of 1969

"With reference to the charges levelled against you vide our charge-sheet dated 27-3-1969 and since you did not attend the enquiry, the enquiry was conducted in absentia as scheduled and an ex-parte decision has been taken."

179. Para. 2 of the dismissal order in respect of each ex-parte enquiry is as follows:—

"As the offences committed by you are of serious nature, the Management is constrained to dismiss you from the services with immediate effect."

180. The 11 complainants who were present during the enquiry against them contend that some of the opponent's witnesses were not examined in their presence during the en-

quity. The statement of each complainant in this respect is as follows:—

181. The Complainant Shri John Pereira in complaint No. CGIT-2/2 of 1969 says in his evidence that during the enquiry against him, Shri Vishnu Karmali was not examined in his presence. Shri Philip was also not examined in his presence. His evidence on this point has been challenged in his cross-examination.

182. The Complainant Shri B. R. Patil, in complaint No. CGIT-2/39 of 1969 says in his evidence that when he entered the enquiry office, there were Enquiry Officer Shri Kamat, S/Shri Silimcan, Appa Chodnenkar and Hodge Desai S/Shri Shivram Sanguemkar, Appa Chodnenkar and Silimcan were not examined by the Enquiry Officer in his presence. Enquiry Officer only recorded his statement. This witness has not been cross-examined at all.

183. The complainant Shri Vidyand Kauthankar in complaint No. CGIT-2/10 of 1969 says in his evidence before me that at the time of enquiry Shri Silimcan was present but his statement was not recorded in his presence. Shri Shivram Sanguemkar was not present during the enquiry. Shri Prahlad Kolwalkar was also not present during the enquiry. In his cross-examination he denies the suggestion that Shivram Sanguemkar and Prahlad Kolwalkar were present during the enquiry.

184. The complainant Shri Popat Nagvencar, in complaint No. CGIT-2/5 of 1969 says in his evidence that during the enquiry against him S/shri Silimcan, Prahlad Kolwalkar and Shivram Sanguemkar were not examined in his presence. This witness has not been cross-examined.

185. The complainant Shri Pondori S. Horadkar in complaint No. CGIT-2/37 of 1969 says in his evidence that statements of S/shri Shivram Sanguemkar and Sadanand Pavaskar were not recorded in his presence. This witness has not been cross-examined.

186. The complainant Shri Edward Gracias in complaint No. CGIT-2/26 of 1969 says in his evidence that during the enquiry against him, no witness was examined in his presence. The Enquiry Officer only recorded his evidence and asked him to go away. In his cross-examination he denies the suggestion that S/shri Silimcan, Shivram Sanguemkar and Prahlad Kolwalkar were examined in his presence.

187. The complaint Shri Joseph Antonio Monteiro in complaint No. CGIT-2/24 of 1969 says in his evidence that S/shri Silimcan, Shivram Sanguemkar and Prahlad Kolwalkar were not examined in his presence. In his cross-examination he denies the suggestion that statements of S/shri Silimcan, Shivram Sanguemkar and Prahlad Kolwalkar were recorded in his presence.

188. The complainant Shri Shivaji Golatkar in complaint No. CGIT-2/3 of 1969 says in his evidence that S/shri Silimcan, Shivram Sanguemkar and Krishna Deo Kamat were not examined in his presence and their statement were not recorded in his presence. This witness has not been cross-examined.

189. The complainant Shri Dattaram, in complaint No. CGIT-2/21 of 1969 says in his evidence that statements of S/shri Silimcan, Sanguemkar and Krishna Deo Kamat were not recorded in his presence during the enquiry. In his cross-examination he denies that Shri Sanguemkar and Krishna Deo Kamat were present during the enquiry and their statements were recorded in his presence.

190. The complainant Shri Joaquim D'Mello in complaint No. CGIT-2/11 of 1969 says in his evidence that statement of Shri Silimcan was not recorded in his presence and that Shivram Sanguemkar and Prahlad Kolwalkar, were not present during the enquiry against him.

191. The complainant Shri Cyprian Fernandes, in complaint No. CGIT-2/8 of 1969 says in his evidence that statements of S/shri Silimcan and Shivram Sanguemkar were not recorded in his presence but they were present at the time of enquiry. In his cross-examination he denies the sugges-

tion that statements of S/Shri Silimcan and Prahlad Kolwalkar were recorded in his presence.

192. The opponent has not examined S/shri Vishnu Karmali, Philip, Prahlad Kolwalkar and Sadanand Pawooskar before me to challenge the statements given by the complainants before me as mentioned above stating that these witnesses were not examined during the enquiry against the complainants concerned in their presence. As these witnesses have not come in the witness box to challenge the say of the complainant concerned that they were not examined in his presence during the enquiry, there is no reason to reject the testimony of the complainant concerned referred to above when they say that these witnesses were not examined during the enquiry against them concerned, in their presence.

193. As regards S/shri S. N. P. Chodnenkar, Shivram Sanguemkar, Silimcan and Krishna Deo Kamat, they are however examined as witnesses before me. I will therefore refer to their relevant evidence in this respect.

194. As regards Shri S. N. P. Chodnenkar, Ex. 13/E he says in his evidence that he had written draft from which he was giving statement in each enquiry during the enquiry. It was suggested to this witness that during each enquiry he submitted written statement or gave a statement from the written draft he had with him and that in fact he was never examined as a witness in the enquiry concerned. He however denies this suggestion.

195. As Shri Chodnenkar claims to have given statement in each enquiry on the basis of written draft which he had with him, during each enquiry and as the same draft is not on record, it may be inferred that his statement already prepared and kept ready must have been produced during each enquiry either during the enquiry or subsequently.

196. As regards V. R. Silimcan, Ex. 11/E he says in his evidence as follows:—

"During the ex-parte enquiries when I gave evidence as a witness, I narrated the whole version straight. The same was being taken either by some writer or written by me. Even when I was a complainant I narrated my whole version. The same was written by some one or written by me. It did not happen during enquiry that anybody put questions to me and I gave replies to them. In all the 14 ex-parte enquiries my statements or complaints are in English. I narrated my version straight way in English."

I followed the same procedure of narrating my version straight way in English either as a complainant or as a witness in 11 enquiries viz. CGIT-2/2, 3, 5, 8, 10, 11, 21, 26, 24, 37 and 39 of 1969.

On the date of enquiry I used to hand over all papers to the Enquiry Officer, Shri Kamat regarding enquiry concerned. It is not true that I had already prepared a written statement and that I was narrating the version from that draft. All my statements in different enquiries are similar because the cases are similar."

197. The admission given by Shri Silimcan in his evidence referred to above that all his statements in different enquiries are similar because the cases are similar and that he was narrating the whole version straight in each case in English and that in some enquiries his statements are in his own handwriting, leads me to infer that he must have kept his statement ready and that the same must have been produced during the enquiry or sometime later on, otherwise it was not possible that statements recorded at different times should be similar.

198. As regards Shri Shivram Sanguemkar, Ex. 20/E, it was suggested to him that during the enquiry against each of the 10 complainants in complaint Nos. CGIT-2/24, 26, 39, 3, 8, 37, 10, 5, 21 and 11 of 1969 his statement was not recorded in the presence of the employee concerned and that his statement was taken or introduced at some other time. But he denies this suggestion.

199. The opponent has filed affidavit of Shri Krishnadeo Kamat at Ex. 29/E. He has also given evidence at Ex. 30/E.

In his cross-examination specific question as mentioned below was put to him.

"Question: Is it a fact that you did not attend any enquiry that Shri Hegde Desai prepared some writing purporting to be your statement, obtained your signature thereon and introduced them in the proceedings?"

He gave reply as mentioned below:—

"Answer: It is true that I did not attend any enquiry against any employee held by Shri Kamat. It is true that Shri Hegde Desai prepared some writing purporting to be my statement, obtained my signature thereon and introduced them in the proceedings."

200. From the admission given by Shri Krishnadeo Kamat referred to above it is crystal clear that he did not attend any enquiry held by Shri Kamat and that Shri Hegde Desai prepared some writing purporting to be his statement, obtained his signature thereon and introduced them in the proceedings.

201. The admission given by Shri Krishnadeo Kamat referred to above and the circumstance that it was physically impossible to conduct number of enquiries on each one of these dates, viz. 1st, 5th and 7th April, 1969 as mentioned in the statement Ex. 36/W, 37/W and 38/W lend support to the complainants' grievances that some witnesses against them concerned were not examined in their presence during the course of enquiry. As some witnesses were not examined in the presence of the complainants concerned referred to above during the course of enquiry against them concerned, they had no opportunity to hear as to what they have stated in their statements. According to the principles of natural justice, it is necessary that every witness has to be examined in the presence of the affected workman during the enquiry against him. As this has not been done in the present case, the principles of natural justice were violated and the enquiries are vitiated.

202. Out of the 17 Ex-parte enquiries against the complainants concerned there are 5 complaints in respect of which the complainant concerned did not receive charge-sheet or show cause notice. It is contended that they were not aware of the enquiries held against them.

203. The complainant Shri Salvador Mendes in complaint No. CGIT-2/14 of 1969 says in his evidence Ex. 5/W that he did not receive any chargesheet from the company. He did not attend enquiry. He however admits to have received dismissal letter but does not remember the date on which he received it. This witness has not been cross-examined at all. Hence on his statement it is to be held that he had not received the charge-sheet and that he was not aware about the enquiry held against him.

204. The complainant Shri Shashikant Kakodkar in complaint No. CGIT-2/9 of 1969 has filed affidavit at Ex. 1/W and given evidence at Ex. 7/W. In his affidavit para. 3 he says that he had not received chargesheet and that he was not aware of the enquiry. In his cross-examination it was suggested to him that he refused to accept the registered letters containing show cause notice and chargesheet but he emphatically denies to have refused to accept two registered letters.

205. Endorsements on the two registered envelopes Ex. 8/E and 9/E show that the addressee was not found. In view of this endorsement the suggestion made to the complainant in his cross-examination that he refused to accept the two envelopes cannot be said to be correct. There can be no doubt from his evidence that he has not received the chargesheet and that he was not aware of the enquiry that was to be held against him.

206. The complainant Shri Sebastian Fernandes in complaint No. CGIT-2/18 of 1969 has given evidence at Ex. 12/W. In his evidence he says that he had not received the chargesheet. It was suggested in his cross-examination that his name had appeared in Newspaper Navhind Times mentioning the date of enquiry but he says that he does not read newspaper. He however says that he did not

purposely avoid attending the enquiry. From the evidence of the complainant it is clear that he had not received chargesheet and that he was not aware of the enquiry held against him.

207. The complainant Shri Ignatious Fernandes in complaint No. CGIT-2/4 of 1969 has given evidence at Ex. 6/W. In his evidence he says that he did not receive any chargesheet or show cause notice before the dismissal. He however received the chargesheet after the receipt of the dismissal letter by post and that he had mentioned the date and time of the receipt of the registered cover on the cover Ex. 9/W.

208. Ex. 9/W shows that the enquiry was to take place on 25-3-1969 at 3-30 P.M. The registered cover containing the chargesheet Ex. 10/W was received by the complainant on 28-3-1969 i.e. after the enquiry was over. It means that the enquiry was held against this complainant without serving the charge sheet and without his having any knowledge about the date on which the enquiry was to take place.

209. The complaint Shri Raghoba Kankonkar, in complaint No. CGIT-2/19 of 1969 has given evidence at Ex. 4/W. In his evidence he says that he did not know on what day the enquiry against him was to take place, and that nobody informed him that there was going to be enquiry on a particular day. He also says in his evidence that he knows Konkani and little bit of marathi but he does not know English. Sometimes he reads newspapers but he did not find his name in the notification regarding the enquiry.

210. This complainant has not been cross-examined on the point regarding his ignorance about the enquiry that was to be held against him. It is therefore clear that the enquiry was held against him without his having received the charge-sheet and show cause notice and without his knowledge about the date.

211. As in the above mentioned 5 complaints enquiry was held against the 5 complainants concerned without their having received the chargesheet and without their having any knowledge about the date of enquiry the enquiries held against them are contrary to the elementary principles of natural justice. Hence they are vitiated.

212. In short it will be clear from the above discussions that the enquiries held against the complainants in question are not proper and fair and that the same are vitiated. Hence my findings on point Nos. 7 and 8 are as above.

Point Nos. 9 and 10

213. The next point for consideration is whether the dismissals of the complainants in question on evidence before me are justified.

214. The opponent has examined witnesses on his behalf in respect of all enquiries against the complainants concerned in Complaint No. CGIT-2/2 of 1969.

215. Shri V. R. Silimcan has filed affidavit at Ex. 6/E and given evidence at Ex. 11/E.

216. According to Shri Silimcan's affidavit, he is an Agent of M/s Pandurang Timblo Industries for the last 17 years. He looks after the general administration of the Mines and plots of the company. During the period of strike i.e. 14th February, 1969 to 22nd March, 1969, he was on duty. During the period of strike there were a number of incidents of violence and at two times the workers went in big numbers to Capgem Jetty. Workers of Cacora Garage were charge-sheeted for certain misconduct during the period of strike. He attended the enquiries in the case of following workers who were not present during the time of enquiry. He gave statements during their enquiries, which were ex-parte. These enquiries were against the workers mentioned below:—

- (1) Shri Uttam Chari Complaint No. CGIT-2/36 of 1969.
- (2) Shri Digamber Khorjuvemkar Complaint No. CGIT-2/6 of 1969.
- (3) Shri Santana Carvalho Complaint No. CGIT-2/16 of 1969.

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| (4) Shri Inam H. Kazi | Complaint No. | CGIT-2/41 |
| of 1969 | | |
| (5) Shri Diogo Fernandes | Complaint No. | CGIT-2/31 |
| of 1969 | | |
| (6) Shri Naguesh Redkar | Complaint No. | CGIT-2/13 |
| of 1969 | | |
| (7) Shri Mathew Carvlho | Complaint No. | CGIT-2/40 |
| of 1969 | | |
| (8) Shri Diogo Fernandes | Complaint No. | CGIT-2/22 |
| of 1969 | | |
| (9) Shri Pondori C. Naik | Complaint No. | CGIT-2/34 |
| of 1969 | | |
| (10) Shri Raghoba Kankonkar | Complaint No. | CGIT-2/19 |
| of 1969 | | |
| (11) Shri Naresh Kerkar | Complaint No. | CGIT-2/20 |
| of 1969 | | |
| (12) Shri Salvador Mendes | Complaint No. | CGIT-2/14 |
| of 1969 | | |
| (13) Shri Francis Fernandes | Complaint No. | CGIT-2/12 |
| of 1969 | | |
| (14) Shri Sayed Baimul | Complaint No. | CGIT-2/7 |
| of 1969 | | |

217. The names of the workers who were present at the time of enquiry and in whose enquiry he participated are given below :—

- | | | |
|---------------------------------|---------------|-----------|
| (1) Shri Joseph Monteiro | Complaint No. | CGIT-2/24 |
| of 1969. | | |
| (2) Shri Shivaji Golatkar | Complaint No. | CGIT-2/3 |
| of 1969. | | |
| (3) Shri Pondori Hodarkar | Complaint No. | CGIT-2/37 |
| of 1969. | | |
| (4) Shri Dattaram Shirodkar | Complaint No. | CGIT-2/21 |
| of 1969. | | |
| (5) Shri Vidhayanand Kauthankar | Complaint No. | CGIT-2/10 |
| of 1969. | | |
| (6) Shri Edward Gracis | Complaint No. | CGIT-2/26 |
| of 1969. | | |
| (7) Shri Joaquim D'Mello | Complaint No. | CGIT-2/11 |
| of 1969. | | |
| (8) Shri John Pereira | Complaint No. | CGIT-2/2 |
| of 1969. | | |
| (9) Shri Popat Nagvcmkar | Complaint No. | CGIT-2/5 |
| of 1969. | | |
| (10) Shri Baburao Patil | Complaint No. | CGIT-2/39 |
| of 1969. | | |
| (11) Shri Cypriano Fernandes | Complaint No. | CGIT-2/8 |
| of 1969. | | |

218. According to him, on 17th February, 1969, about 150 workers went to Capxem Jetty with a view to stop company's loading work. These workers included some of the workers from Cacora Garage. On 1st and 2nd March 1969 about 200 workers including the workmen of Cacora Garage went to Capxem Jetty and squatted there on the orebin and approach road, thereby stopped company's loading operation.

219. According to Shri Silimcan's evidence Ex. 11/E before me:—

- (i) He has not seen any incidence of violence personally;
- (ii) During the ex-parte enquiries, when he gave evidence as a witness, he narrated the whole version straight. The same was being taken either by some writer or written by him. Even when he was a complainant he narrated his whole version. The same was written by some one or written by him. It did not happen during the enquiry that anybody put questions to him and he gave replies to them. In all the 14 ex-parte enquiries his statements or complaints are in English. He narrated his version straight way in English.
- (iii) He narrated the whole version straight way in English either as a complainant or as a witness in 11 enquiries viz., CGIT-2/2, 3, 5, 8, 10, 11, 21, 24, 26,

37 and 39 of 1969, in which workers were present during the enquiry.

- (iv) He had been to Capxem Jetty on 17th February, 1969 after the incident. He has not seen any incident that took place at Capxem Jetty on 17th February, 1969 with his own eyes. When he went to Capxem Jetty on 17th February, 1969 he had not seen workers obstructing barge loading. In his presence loyal workers were not threatened by workers on strike while he was at Capxem Jetty.
- (v) He had been to Capxem Jetty on 1-3-1969 reaching there at about 10 A. M. either by jeep or car. The workers did not Gerao his car. But somebody removed the air of the tyre of the car. He does not remember the name of this somebody. There were about 200 workers on Capxem Jetty at that time. After seeing so many persons there he contacted the Police. The police informed him that it had no sufficient hands to give help but it would inform the headquarters to send help. He remained at Capxem Jetty till lunch time. He went home for taking lunch. After taking lunch he again went to the Capxem Jetty at about 4 P. M. Almost the same workers were there at about 4 P. M. at Capxem Jetty. In the evening he returned home at about 6 P.M. on 1st March, 1969 no Captain of the barges approaches him with any grievances.

- (vi) He went to Capxem Jetty on 2nd March, 1969 reaching there at 9 A. M. He saw about 200 workmen sitting on the Jetty. He does not know as to when 50 Policemen had come to the Capxem Jetty but they were there before his arrival. Dy. S. P. from Madgoan had come to Capxem Jetty. He had asked them to go away giving them threat of taking action. Thereafter the workers left the Jetty. There was no stone throwing incident on 2nd March, 1969.

- (vii) He is not an eye witness regarding any incidence alleged to have taken place either on 17th February 1969 or 1st and 2nd March 1969.

220. Shri Silimcan has been cross-examined in respect of each complainant. He has given a clear admission in his cross-examination that he is not an eye witness regarding any incidence alleged to have taken place either on 17th February 1969 or 1st and 2nd March 1969. He also admits that he has not seen any incidence of violence personally. In view of this specific admission it is clear that his evidence before me does not support the charges against the complainants concerned. It is also clear that in view of these admissions which I have already pointed out above, his statements during the enquiry against the complainants concerned before the Enquiry Officer cannot be given any weight.

221. Shri Shivram Sanguemkar has filed affidavit at Ex. 21/1 on behalf of the opponent and given evidence at Ex. 20/E.

222. According to Shri Shivram Sanguemkar's affidavit Ex. 21/E,

- (i) During the period of strike i.e. 14th February, 1969 to 23rd March, 1969 he was working as Supervisor Incharge, Capxem Jetty.
- (ii) During the period from 14th February, 1969 to 23rd March, 1969, 75/100 workers employed by the opponent came to Capxem Jetty on 17th February, 1969 and entered Capxem Jetty and physically forced Shri Krishnadeo Kamat and Shri Pahlad Advakar to leave the place of work who were on duty on the said day.
- (iii) On 1st March, 1969 a group of 200 workmen belonging to the opponent and M/s. Timblo Private Ltd. came to Capxem Jetty and occupied Capxem Jetty and Orbin by squatting on the premises.

Due to this the loading was not possible. The workers who came on 1st March, 1969 to Capxem Jetty stayed there on the night of 1st March 1969 and continued to stay till the evening of 2nd March 1969. Only upon the intervention of the Assistant Superintendent of Police, Margao, the workers vacated Capxem Jetty at 5.00 P. M. on 2nd March, 1969.

(iv) He attended the enquiries in respect of the following workmen who were not present at the time of enquiry and his statement was recorded in each ex-parte enquiry.

1. Shri Iman H. Kazi Complaint No. CGIT-2/41 of 1969.
2. Shri Francisco Fernandes Complaint No. CGIT-2/12 of 1969.
3. Shri Pondori C. Naik Complaint No. CGIT-2/34 of 1969.
4. Shri Naguesh Redkar Complaint No. CGIT-2/13 of 1969.
5. Shri Diogo Fernandes Complaint No. CGIT-2/22 of 1969.
6. Shri Diogo Fernandes Complaint No. CGIT-2/31 of 1969.
7. Shri Salvador Mondes Complaint No. CGIT-2/14 of 1969.
8. Shri Raghoba Kankonkar Complaint No. CGIT-2/19 of 1969.
9. Shri Digamber Khorjuvemker Complaint No. CGIT-2/6 of 1969.
10. Shri Shashikant Kakodkar Complaint No. CGIT-2/9 of 1969.
11. Shri Santano Carvalho Complaint No. CGIT-2/16 of 1969.
12. Shri Sayad Zaimul Complaint No. CGIT-2/7 of 1969.
13. Shri Uttam Chari Complaint No. CGIT-2/36 of 1969.
14. Shri Sabasteao Fernandez Complaint No. CGIT-2/18 of 1969.
15. Shri Naresh Kerkar Complaint No. CGIT-2/20 of 1969.
16. Shri Mathew Carvalho Complaint No. CGIT-2/40 of 1969.

(v) He also attended the enquiries in respect of the following workmen who were present at the time of enquiry.

1. Shri Joseph Monteiro Complaint No. CGIT-2/24 of 1969.
2. Shri Edward Grancias Complaint No. CGIT-2/26 of 1969.
3. Shri Baburao Patil Complaint No. CGIT-2/39 of 1969.
4. Shri Shivaji Golatkar Complaint No. CGIT-2/3 of 1969.
5. Shri Cypriano Fernandes Complaint No. CGIT-2/8 of 1969.
6. Shri Pondori Hodarkar Complaint No. CGIT-2/37 of 1969.
7. Shri Vidhyanand Kauthankar Complaint No. CGIT-2/10 of 1969.
8. Shri Popat Nagvemkar Complaint No. CGIT-2/5 of 1969.
9. Shri Duttaram Shirodkar Complaint No. CGIT-2/21 of 1969.
10. Shri Joaquim D'Mello Complaint No. CGIT-2/11 of 1969.

223. Shri Shivram Sanguemkar has given evidence at Ex. 20/E. In his evidence he refers to the affidavit Ex. 21/E and confirms the same.

224. According to him:—

- (i) "There was loading of barges at Capxem Jetty on 17th February, 1969. There was also loading of barges at Capxem Jetty on 1st and 2nd March 1969. He produced a log sheet No. 288, which shows that Barge M. U. Pagathim 9 arrived at Capxem Jetty on 1st March, 1969 at 15.45 hours. Loading commenced at 11.30 hours on 3rd March, 1969. He also producing another log Sheet No. 1209 pertaining to barge Pagathim 4, which shows that Barge

arrived at Capxem Jetty on 1st March, 1969 at 8.00 hours and loading commenced at 4 P. M. on 2nd March, 1969. As Labourers were on Jetty barges could not be loaded on 1st March and on 2nd March till 16.00 hours."

225. In his cross-examination he says that he has not seen the workers throwing stones or doing any mischief at Capxem Jetty during the period of strike at any time, that there is Canteen in Capxem Jetty and that the bargemen were also on strike during the same period.

226. It is interesting to note that while cross-examining Shri Sanguemkar in respect of each complainant specifically he has stated that the complainant concerned did not do anything.

227. In his re-examination, he however says that about the incident of 17th February, 1969, these workers had done nothing except taking Krishnadeo Kamat and Prahlad Kolwalkar from Capxem Jetty forcefully and that on 1st and 2nd March 1969 these employees were sitting on Capxem Jetty.

228. Shri Sanguemkar's statement in re-examination appears to be an improvement. In view of his specific admission in respect of each complainant given in cross-examination that the complainant concerned did not do anything on any of the day, his statement before the enquiry officer in respect of each complainant concerned and his statement in re-examination and examination in chief before me cannot be given any weight. If the complainant concerned would have done anything on any of the day concerned in the presence of Shri Sanguemkar he would not have stated in his cross-examination that the complainant concerned did not do anything. In my opinion his admission clearly shows that none of the complainants in question committed any violence or mischief on the days in question i.e. on 17th February, 1969 and 1st and 2nd March, 1969.

229. Shri S.N.P. Chonenkar has filed affidavit at Ex. 5/E and he has given evidence before me on behalf of the opponent at Ex. 13/E.

230. According to Chodnenkar's affidavit Ex. 5/E, he is working in the company for the last 16 years and he was in charge of Cacora Carage. He was a witness to the incidents of 17th February 1969 and 1st and 2nd March 1969. He further says that on 17th February, 1969 about 150 workers belonging to Messrs Pandurang Timblo Industries went to Capxem Jetty and tried to stop company's work by forcing the loyal workers to join the strike, and that on 1st and 2nd March 1969 about 200 workers were on Capxem Jetty sitting on the Orebin and nearby area, thereby obstructing company's leading operations of the barges.

231. He attended the enquiries in the case of the following workmen which were held in absentia :

- (1) Shri Digamber Khorjuvemkar Complaint No. CGIT-2/6 of 1969.
- (2) Shri Santan Carvalho Complaint No. CGIT-2/16 of 1969.
- (3) Shri Iman H. Kazi Complaint No. CGIT-2/41 of 1969.
- (4) Shri Diogo Fernandes Complaint No. CGIT-2/31 of 1969.
- (5) Shri Naguesh Redkar, Complaint No. CGIT-2/13 of 1969.
- (6) Shri Mathew Carvalho, Complaint No. CGIT-2/40 of 1969.
- (7) Shri Salvador Mendes Complaint No. CGIT-2/14 of 1969.
- (8) Shri Francisco Fernandes Complaint No. CGIT-2/12 of 1969.

232. He also attended the enquiry of Shri Vidhavanand Kauthankar, Complaint No. CGIT-2/10 of 1969. He also attended the enquiry of Shri Baburao Patil. In both the enquiries his statements were recorded in the enquiry in the presence of the complainant concerned.

233. According to him on 17th February, 1969 and on 1st and 2nd March, 1969 there was loading programme at Capxem Jetty. If the people sit on the orebin or on the approach road to orebin the loading operation is stopped. On 1st and 2nd March, 1969 because of the presence of 200 workers at the loading jetty at Capxem the work could not commence.

234. According to Shri Chodnenkar Ex. 13/E,

- (i) There was no charge against Shri Santana Carvalho complaint No. CGIT-2/16 of 1969 regarding the incident of 17th February, 1969 but in his statement during the enquiry against this employee he narrated the incident of 17th February, 1969 stating that this employee was seen while coming from Capxem Jetty.
- (ii) He had a written draft from which he was giving statement in each enquiry during the enquiry.
- (iii) In the enquiries against the complainant in complaint No. CGIT-2/13, 14, 39, 40 and 6 of 1969 there was no charge regarding the incident of 2nd March, 1969 against the employees concerned but while giving evidence in each one of these enquiries against the employee concerned he has mentioned the incident of 2nd March, 1969 because according to him the incidents of 1st and 2nd March, 1969 were combined.

235. From the above mentioned evidence of Shri Chodnenkar it is clear that he was giving parrot like story in each enquiry on the basis of written draft with him probably supplied to him by someone else. He was not giving evidence on the basis of his own knowledge. He was speaking in respect of all incidents even though there was no charge against employee concerned about a particular incident as mentioned above. It can be inferred from this that the statement given by the witness in each enquiry before the enquiry Officer was tutored one and that it cannot be given any weight.

236. He admits in his evidence before me that on 17th February, 1969 the workers did not obstruct barge loading by sitting at Orbin. In view of this admission his evidence that there was obstruction, to barge loading on 17th February, 1969 cannot be accepted.

237. On going through his evidence before me carefully I find that his evidence cannot be given any weight. This witness has not impressed me as a witness of truth. His evidence about any incident alleged to have been committed by the complainant concerned cannot be accepted. His evidence is vague and indefinite. He does not specifically mention before me as to what specific at he has been the complainant concerned committing.

238. Shri Krishnadeo Kamat has filed affidavit at Ex. 29/E and given evidence at Ex. 30/E. According to his affidavit Ex. 29/E,

- (i) In the year 1969 he was attached to Capxem Jetty. He used to operate the Shovel as and when there was loading programme of the barges at Capxem Jetty. During the period of strike i.e. from 14th February, 1969 to 23rd March, 1969 he was working at Capxem Jetty as Shovel Operator.
- (ii) During the period of this strike about 75-100 workers came to Capxem Jetty on 17th February, 1969. They forcibly dragged him and Shri Prahlad Kolwalkar from Capxem Jetty and took with them to Sanvordem. At Sanvordem Police came and took them away from the group of striking workers. Later on he went to Capxem Jetty and resumed his duties in the evening.
- (iii) On 17th February, 1969 there were barges for loading but they could not be loaded due to the striking workers. In respect of this incident almost all the workers who were on strike from Cacora Garage took active part. He attended enquiries against the following workmen who had participat-

ed in the incident of 17th February, 1969 at Capxem Jetty.

- (1) Shri Shavaji Golakar Complaint No. CGIT-2/3 of 1969.
- (2) Shri Dattaram Shirodkar Complaint No. CGIT-2/21 of 1969.
- (3) Shri Saynd Saunul Complaint No. CGIT-2/7 of 1969.
- (4) Shri Shashikant Kakodkar Complaint No. CGIT-2/9 of 1969.
- (5) Shri Nagesh Redkar, Complaint No. CGIT-2/13 of 1969.
- (6) Shri Santano Carvalho Complaint No. CGIT-2/16 of 1969.
- (7) Shri Sabastiao Fernandes Complaint No. CGIT-2/18 of 1969.
- (8) Shri Naresh Kerkar Complaint No. CGIT-2/20 of 1969.
- (9) Shri Diogo Fernandes Complaint No. CGIT-2/22 of 1969.
- (iv) S/shri Shivaji Golatkar and Dattaram Shirodkar were present at the time of enquiry. As regards other workers from the above group they were not present at the time of enquiry. During the period of enquiry of these workers his statement was recorded in their enquiries in their presence.

239. In his evidence Ex. 30/E he refers to the affidavit and confirms the same.

240. According to his statement, during the cross-examination, barges had not come to Capxem Jetty on 17th February, 1969 in the morning. About one or two barges might have been loaded on 17th February, 1969. When high tide commenced at 3 or 4 P.M. on 17th February, 1969, they commenced loading of barges.

241. From the above mentioned statement it is clear that there were no barges at Capxem Jetty on 17th February, 1969 in the morning and that when high tide commenced at 3 or 4 P.M. about one or two barges might have been loaded on 17th February, 1969. It means that the allegation of the opponent that there was obstruction of loading barges on 17th February, 1969 at Capxem Jetty by the workers is no proved to be correct.

242. It appears from the evidence of Shri Krishna Dev Kamat that S/shri Sashikant Kakodkar and Sabastio Fernandes pulled him out of office and asked him to join the procession, and that after joining the procession nothing was done to him. It appears that after the procession reached Sanvordum and after the Police took him to Sanvordum Police Station, he gave written complaint to Sanvordum Police but on the basis of that complaint nothing has happened. In the first place that complaint has not been produced on record through Shri Krishnadeo Kamat claims to have stated in that complaint that Shri Sashikant Kakodkar and Shri Cabastio Fernandes had pulled him out of the office and compelled him to join procession. In the absence of the written complaint on record, no weight can be attached when he says before me that he was pulled out of the office by S/shri Sashikant Kakodkar and Sabastio Fernandes. It also appears that Shri Krishnadeo Kamat made report about this in Sanvordum office to Shri Hegde Desai, before returning to Capxem Jetty for work. That report is also not produced on record. In the absence of that record and the written complaint to the Police Shri Krishnadeo Kamat's evidence that he was pulled out of office by S/shri Sashikant Kakodkar and Sabastio Fernandes and that he was forced to join the strike cannot be believed.

243. Shri Krishnadeo Kamat admits in his cross-examination that he did not attend any enquiry against any employee held by Shri Kamat, that Shri Hegde Desai prepared some writings purporting to be his statement, obtained his signature thereon and introduced them in the proceedings. In view of this statement, his statement before the enquiry officer even against the complainant concerned regarding the incident of 17th February, 1969 cannot be given any weight. His evidence before me as against S/shri Sashikant

Kakedkar and Sabastio Fernandes cannot be also believed. As the two documents viz. the complaint given to the Police and the report given to Shri Hegde Desai regarding the incident of 17th February, 1969 are not produced before me and as this witness has gone to the extent of giving signatures on some writing purporting to be his writing against the complainant concerned his evidence before me cannot be believed at all.

244. Now I will consider the 17 *ex-parte* enquiries one by one.

245. **Complaint No. CGIT-2/4 of 1969.**—In the enquiry against the complainant Shri Ignatious Fernandes, the charges levelled against him were as follows:—

"(i) Pelting stone on Shri Vishnu Karmali while he was on duty.

(ii) Refusal to accept the show cause memo."

246. Opponent's case is that during the enquiry S/shri Vishnu Karmali, Prahlad Kolwalkar and Philip Carvalho were examined as witnesses to prove the charges levelled against the complainant.

247. The complainant has given evidence before me at Ex. 6/W. He denies the allegations made against him.

248. Opponent's witnesses have not been examined before me. There is no material before me on the strength of which I can hold the charges levelled against the complainant proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified.

249. As the complainant's dismissal is not justified, he is entitled to reinstatement with continuity of service and full back wages from the date of dismissal till the date of reinstatement.

250. **Complaint No. CGIT-2/6 of 1969.**—In the enquiry against the complainant Shri Digamber Korjuvenkar the charges levelled against him were as follows:—

"In the morning of 17th February, 1969 you alongwith other workmen went to Capxem Jetty and stopped barge loading work and also threatened the company's loyal workers thereby putting the company into heavy losses.

Further, you again went to Capxem Jetty alongwith other workmen on 1st March 1969 and again stopped the company's work."

251. Opponent's case is that during the enquiry S/shri Silimkhan, Chodnenkar, Shivram Sanguemkar and Prahlad Kolwalkar were examined as witnesses against this complainant to prove the charges levelled against him.

252. The complainant has given evidence at Ex. 5/W. He denies the allegations made against him.

253. Out of the 4 witnesses mentioned above, Shri Prahlad Kolwalkar has not been examined before me. S/shri Silimkhan, Chodnenkar and Shivram Sanguemkar have been examined before me but on their evidence before me for the reasons already given above, charges levelled against the complainants cannot be held proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified. He is therefore entitled to reinstatement in service with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement.

254. **Complaint No. CGIT-2/18 of 1969.**—In the enquiry against the complainant Shri Sebastio Fernandes the charge levelled against him was as follows:—

"Threatening and boating Shri Krishna F. Kamat on 17th February 1969 while he was on duty."

255. Opponent's case is that during the enquiry S/shri Krishnadeo Kamat, Vishnu Karmali, Shivram Sanguemkar and Baburno Naik were examined as witnesses against this complainant to prove the charge levelled against him.

256. The complainant has given evidence at Ex. 12/W. He denies the allegation made against him.

257. Out of the 4 witnesses mentioned above, only Shri Shivram Sanguemkar and Shri Krishna Deo Kamat have been examined before, but on their evidence before me for the reasons already given above, charges levelled against the complainants cannot be held proved. As the charge levelled against the complainant is not proved his dismissal by the opponent is not justified.

258. As the complainant's dismissal is not justified, he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement, in service.

259. **Complaint No. CGIT-2/14 of 1969.**—In the enquiry against the complainant Shri Salvador Mendes the charges levelled against him were as follow:—

"On Monday, the 17th February 1969, you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st March 1969, you again went to Capxem and stopped our loading, thereby putting the company to heavy losses."

260. Opponent's case is that during the enquiry S/shri Silimkhan, Chodnenkar, Shivram Sanguemkar and Prahlad Kolwalkar were examined as witnesses against this complainant to prove the charges levelled against him.

261. The complainant has given evidence at Ex. 5/W. He denies the allegations made against him.

262. Out of the 4 witnesses mentioned above, Shri Prahlad Kolwalkar has not been examined before me. S/shri Silimkhan, Chodnenkar and Shivram Sanguemkar have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified.

263. As the complainant's dismissal is not justified, he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

264. **Complaint No. CGIT-2/17 of 1969.**—In the enquiry against the complainant Shri Premanand Raikar the charge levelled against him was as follows:—

"1. Threatened and attacking Shri Vishnu Karmali while he was on duty."

265. Opponent's case is that during the enquiry S/shri Vishnu Karmali, Philip Carvalho and Prahlad Kolwalkar were examined as witnesses to prove the charge levelled against him.

266. The complainant has given evidence before me at Ex. 3/W. He denies the allegation made against him.

267. Opponent's witnesses have not been examined before me. There is no material before me on the strength of which I can hold the charge levelled against the complainant proved. As the charge levelled against the complainant is not proved his dismissal by the opponent is not justified.

268. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement.

269. **Complaint No. CGIT-2/41 of 1969.**—In the enquiry against the complainant, Shri Imam H. Kazi the charges levelled against him were as follow:—

"On Monday, the 17th February 1969, you alongwith other workmen went to Capxem Jetty and stop-

ped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st and 2nd March 1969, you again went to Capxem and stopped our loading, thereby putting the company to heavy losses.

270. Opponent's case is that during the enquiry S/shri Silimcan, Chodnenkar, Shivram Sanguemkar and Prahlad Kolwalkar were examined as witnesses against this complainant to prove the charges levelled against him.

271. The complainant has given evidence at Ex. 7/W. He denies the allegations made against him.

272. Out of the 4 witnesses mentioned above, Shri Prahlad Kolwalkar has not been examined before me. S/shri Silimcan, Chodnenkar and Shivram Sanguemkar have been examined before me but on their evidence before me for the reasons already given above, charges levelled against the complainants cannot be held proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified.

273. As the complainant's dismissal is not justified, he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

274. **Complaint No. CGIT-2/22 of 1969.**—In the enquiry against the complainant Shri Diogo Fernandes, the charges levelled against him were as follows:—

"On Monday, the 17th February 1969 you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st and 2nd March 1969, you again went to Capxem and stopped our loading, thereby putting the company to heavy losses."

275. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Krishnadeo Kamat and Silimcan were examined as witnesses, against this complainant to prove the charges levelled against him.

276. The complainant has given evidence at Ex. 9/W. He denies the allegations made against him.

277. S/shri Shivram Sanguemkar, Krishnadeo Kamat and Silimcan have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified.

278. As the complainant's dismissal is not justified, he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

279. **Complaint No. CGIT-2/20 of 1969.**—In the enquiry against the complainant Shri Naresh Kerkar, the charges levelled against him were as follows:—

"On Monday, the 17th February 1969, you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the Company's loyal workers on duty. Also on 1st and 2nd March 1969 you again went to Capxem and stopped our loading, thereby putting the company to heavy losses."

280. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Krishnadeo Kamat and Silimcan were examined as witnesses against this complainant to prove the charges levelled against him.

281. The complainant has given evidence at Ex. 4/W. He denies the allegations made against him.

282. S/shri Shivram Sanguemkar, Krishnadeo Kamat and Silimcan have been examined before me, but on their evi-

dence before me for the reasons already given above, charges levelled against the complainants cannot be held proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified.

283. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages from the date of dismissal till the date of reinstatement in service.

284. **Complaint No. CGIT-2/36 of 1969.**—In the enquiry against the complainant Shri Uttam Chari the charges levelled against him were as follow:—

"On Monday, the 17th February 1969, you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty."

285. Opponent's case is that during the enquiry S/shri Silimcan, Chodnenkar, Shivram Sanguemkar and Prahlad Kolwalkar were examined as witnesses against this complainant to prove the charges levelled against him.

286. The complainant has filed affidavit at Ex. 5/W and given evidence at Ex. 8/W. He denies the allegations made against him.

287. Out of the 4 witnesses mentioned above, Shri Prahlad Kolwalkar has not been examined before me. S/shri Silimcan, Chodnenkar and Shivram Sanguemkar have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified.

288. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

289. **Complaint No. CGIT-2/16 of 1969.**—In the enquiry against the complainant Shri Santan Carvalho the charges levelled against him were as follows:—

"1. Threatening and attacking Shri Devidas Naik, Driver of vehicle No. GDT 68-47 hired by us on 4th March 1969 at 15 hours on the way from Boarga Dongor Mine to Capxem.

2. Threatening our loyal workers at Capxem Plot on 1st March 1969 and thus obstructing loading operation."

290. Opponent's case is that during the enquiry S/shri Silimcan, Chodnenkar Shivram Sanguemkar and Prahlad Kolwalkar were examined as witnesses against this complainant to prove the charges levelled against him.

291. The complainant has given evidence at Ex. 6/W. He denies the allegations made against him.

292. S/shri Silimcan, Chodnenkar, Shivram Sanguemkar and Krishnadeo Kamat have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified.

293. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages from the date of dismissal till the date of reinstatement in service.

294. **Complaint No. CGIT-2/31 of 1969.**—In the enquiry against the complainant Shri Diogo Fernandes, the charges levelled against him were as follows:—

"On Monday, the 17th February 1969, you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st and 2nd March 1969 you again went to Capxem and stopped our loading, thereby putting the company to heavy losses."

295. Opponent's case is that during the enquiry S/shri Silimcan, Chodnenkar, Shivram Sanguemkar and Prahlad Kolwalkar were examined as witnesses against the complainant to prove the charges levelled against him.

296. The complainant has given evidence at Ex. 6/W. He denies the allegations made against him.

297. Out of the 4 witnesses mentioned above Shri Prahlad Kolwalkar has not been examined before me. S/Shri Silimcan, Shodnenkar and Shivram Sanguemkar have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved his dismissal by the opponent is not justified.

298. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

299. **Complaint No. CGIT-2/34 of 1969.**—In the enquiry against the complainant Shri Pondori Chondru Naik, the charge levelled against him was as follows:—

"On 1st March 1969, you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge, thereby putting the company to heavy losses."

300. Opponent's case is that during the enquiry S/shri Silimcan and Shivram Sanguemkar were examined as witnesses against this complainant to prove the charges levelled against him.

301. The complainant has given evidence at Ex. 6/W. He denies the allegations made against him.

302. S/shri Silimcan and Shivram Sanguemkar have been examined before me but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charge levelled against the complainant is not proved, his dismissal by the opponent is not justified.

303. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

304. **Complaint No. CGIT-2/13 of 1969.**—In the enquiry against the complainant Shri Naguesh Redkar the charges levelled against were as follows:—

"In the morning of 17th February 1969 you alongwith other workmen went to Capxem Jetty and stopped barge loading work and also threatened the company's loyal workers thereby putting the company into heavy losses."

Further, you again went to Capxem Jetty along with other workmen on 1st March 1969 and again stopped the company's work."

305. Opponent's case is that during the enquiry S/shri Silimcan, Chodnenkar, Shivram Sanguemkar and Krishnadeo Kamat were examined as witnesses against this complainant to prove the charges levelled against him.

306. The complainant has given evidence at Ex. 6/W. He denies the allegations made against him.

307. S/shri Silimcan, Chodnenkar, Shivram Sanguemkar and Krishnadeo Kamat have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved his dismissal by the opponent is not justified.

308. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from

the date of dismissal till the date of reinstatement in service.

309. **Complaint No. CGIT-2/7 of 1969.**—In the enquiry against the complainant Shri Sayed Zainul the charges levelled against him seem to be about the incidence of 17th February 1969 and 1st and 2nd March 1969.

310. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Krishnadeo Kamat and Silimcan were examined as witnesses against this complainant to prove the charges levelled against him.

311. The complainant has given evidence at Ex. 5/W. He denies the allegations made against him.

312. S/shri Shivram Sanguemkar, Krishnadeo Kamat and Silimcan have been examined before me but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved his dismissal by the opponent is not justified.

313. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

314. **Complaint No. CGIT-2/19 of 1969.**—In the enquiry against the complainant Shri Raghoba Kankonkar, the charges levelled against him seem to be going to Capxem Jetty on 1st and 2nd March 1969 and obstructing company's barge loading work and putting the company into heavy losses and stopping and damaging the vehicle No. GDT 6847 on 4-3-1969.

315. Opponent's case is that during the enquiry S/shri Silimcan and Shivram Sanguemkar were examined as witnesses against this complainant to prove the charges levelled against him.

316. The complainant has given evidence at Ex. 4/W. He denies the allegations made against him.

317. S/shri Silimcan and Shivram Sanguemkar have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved his dismissal by the opponent is not justified.

318. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

319. **Complaint No. CGIT-2/9 of 1969.**—In the enquiry against the complainant Shri Shashikant Kakodkar the charges levelled against him were as follows:—

"Threatening and manhandling Shri Krishna V. Kamat and Shri Prahlad Kolwalkar while they were on duty.

2. Refusal to accept the show cause memo."

320. Opponent's case is that during the enquiry S/shri Krishnadeo Kamat, Vishnu Karmali and Shivram Sanguemkar were examined as witnesses, against this complainant to prove the charges levelled against him.

321. The complainant has given evidence at Ex. 7/W. He denies the allegations made against him.

322. Out of 3 witnesses mentioned above, Shri Vishnu Karmali has not been examined before me. S/shri Krishnadeo Kamat and Shivram Sanguemkar have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved, his dismissal by the opponent is not justified.

323. As the complainant's dismissal is not justified, he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

324. **Complaint No. CGIT-2/40 of 1969.**—In the enquiry against the complainant Shri Mathew Carvalho, the charges levelled against him as follows:—

"In the morning of 17th February 1969 you along with other workmen went to Capxem Jetty and stopped loading work and also threatened the company's loyal workers thereby putting the company into heavy losses.

Further you again went to Capxem Jetty along with other workmen on 1st March 1969 and again stopped the Company's work."

325. Opponent's case is that during the enquiry S/shri Silimcan Chodnenkar, Shivram Sanguemkar and Krishnadeo Kamat were examined as witnesses against this complainant to prove the charges levelled against him.

326. The complainant has given evidence at Ex. 6/W. He denies the allegations made against him.

327. S/shri Silimcan, Chodnenkar, Shivram Sanguemkar and Krishnadeo Kamat have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved his dismissal by the opponent is not justified.

328. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

329. Now I will refer to enquiries in which the complainants in question were present during the enquiry proceedings.

330. **Complaint No. CGIT-2/3 of 1969.**—In the enquiry against the complainant Shri Shivaji Golatkar, the charge levelled against him was as follows:—

"Threatening our loyal workers at Capxem Plot on 1st March 1969 and thus obstructing loading operations."

331. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Silimcan, and Krishna Deo Kamat were examined as witnesses against this complainant to prove the charges levelled against him. The complainant's statement was also recorded by the Enquiry Officer.

332. The complainant has given evidence at Ex. 9/W. He denies the allegation made against him.

333. S Shri Shivram Sanguemkar, Silimcan and Krishnadeo Kamat have been examined before me, on behalf of the opponent, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charge levelled against the complainant is not proved his dismissal by the opponent is not justified.

334. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

335. **Complaint No. CGIT-2/37 of 1969.**—In the enquiry against the complainant Shri Ponlori S. Horadkar the charges levelled against him was as follows:—

"1. Threatening our loyal workers at Capxem Plot on 1st March 1969 and thus obstructing loading operation;

2. Attacking Shri Sadanand Pauskar on 1st March 1969 while he was on duty."

336. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Sadanand Pauskar and Silimcan were

examined as witnesses against this complainant to prove the charges levelled against him. The complainant's statement was also recorded by the Enquiry Officer.

337. The complainant has given evidence at Ex. 6/W. He denies the allegations made against him. He says in his evidence before me that he never caused obstruction to barge loading. He gave signature below his statement but the same was not read out to him. He further says in his evidence that there was criminal case against him at Capxem Court bearing No. 292/69, and in that case he was acquitted.

338. Opponent's witness Shri Sadanand Pauskar examined before the enquiry Officer has not been examined before me in this proceedings. S/shri Silimcan and Shivram Sanguemkar are however examined before me, but on their evidence before me for the reasons given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved his dismissal by the opponent is not justified.

339. As the complainant's dismissal is not justified, he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

340. **Complaint No. CGIT-2/24 of 1969.**—In the enquiry against the complainant Shri Joseph Montaire, the charges levelled against him were as follows:—

"On Monday, the 17th February 1969, you along with other workmen went to Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st and 2nd March 1969 you again went to Capxem and stopped our loading thereby putting the company to heavy losses.

Further on 4th March, 1969 at 15.00 hours you along with the other workers threatened and attached Shri Devidas Naik, Driver of Vehicle No. GTD-68.47 hired by us on the way from Borga Donger mine to Capxem Plot;"

341. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Prahlad Kolwalkar and Silimcan were examined as witnesses against this complainant to prove the charges levelled against him. Complainant's statement was also recorded by the Enquiry Officer.

342. **Complaint No. CGIT-2/5 of 1969.**—In the enquiry 7/W. In his evidence he denies to have given threats and assault to S/shri Krishnadeo Kamat and Prahlad Kolwalkar. He denies to have obstructed barge loading operation on 1st and 2nd March 1969 and threatened and attacked Shri Devidas Naik on 4th March, 1969. He also says in his evidence that his statement was not correctly recorded and that Shri Kamat gave him threat that he would be arrested and sent to jail again if he would not put his signature on the statement, and that on account of this threat he gave his signature on this statement.

343. S/shri Prahlad Kolwalkar and Devidas Naik have not been examined as witness before me. S/shri Silimcan and Shivram Sanguemkar have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant are not proved his dismissal by the opponent is not justified.

344. As the complainant's dismissal is not justified he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

345. **Complaint No. CGIT-2/5 of 1969.**—In the enquiry against the complainant Shri Popat Nagvenkar, the charges levelled against him were as follows:—

"1 Threatening and attacking Shri Devidas Naik, driver of vehicle No. GDT. 68-47 hired by us on 4th March, 1969 at 15 hrs. on the way from Borga Dongor Mine to Capxem Plot.

2. Obstructing our loyal workers to carry on their work and stop loading operation on 1st March, 1969 and thereby putting the company to heavy losses."

346. Opponent's case is that during the enquiry S/shri Silimcan, Shivram Sanguemkar, and Prahlad Kolwalkar were examined as witnesses against this complainant to prove the charges levelled against him. The complainant's statement was also recorded by the Enquiry Officer.

347. The complainant has filed affidavit before me at Ex. 1/W. and given evidence at Ex. 6/W. In his evidence before me he says that the Enquiry Officer recorded his statement which was written by Shri Hegde Desai, that after the statement was recorded he asked the enquiry officer to hand over the enquiry papers to him for getting it read over from some one else but the Enquiry Officer did not hand over the papers to him. He further says that when he asked him to sign the statement, he refused to do so and that Shri Kamat gave threat that he would be arrested by the Police if he did not sign the statement and that on account of this he put his signature on the statement.

348. The complainant emphatically states before me that he did not assault Devidas Naik and that he did not give him any threat on 4th March, 1969 and that on 1st March, 1969 he has not obstructed loyal workers from discharging their duties. He also says that he did not obstruct loading operation on that day.

349. The Enquiry Officer has not held the complainant guilty of the first charge. He however held him guilty of stopping company's barge loading work and putting the company into heavy losses on 1st March, 1969.

350. The Enquiry Officer has mentioned in his findings Ex. 2/E. that Shri Popat Nagvemkar has accepted that he had been to the Capxem Jetty and that he was standing on the Jetty. Complainant's mere going to Capxem Jetty on 1st March, 1969 will not show that he had been there for stopping loading operation and putting the company into heavy losses.

351. Shri Prahlad Kolwalkar has not been examined before me. S/shri Silimcan and Shivram Sanguemkar have been examined before me but on their evidence for reasons already given above charge No. 2 levelled against the complainant cannot be held proved.

352. As the charges levelled against the complainant cannot be held proved his dismissal is not justified. As the dismissal is not justified, he is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

353. **Complaint No. CGIT-2/8 of 1969.**—In the enquiry against the complainant Shri Cypriano Fernandes, the charges levelled against him were as follows:—

- "1. Threatening and attacking Shri Devidas Naik, driver of vehicle No. GDT-68-47 hired by us on 4th March, 1969 at 15 hours on the way from Borga Dongor Mine to Capxem.
2. Threatening our loyal workers at Capxem Plot on 1st March, 1969 and thus obstructing loading operation."

354. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Prahlad Kolwalkar and Silimcan were examined as witnesses against this complainant to prove the charges levelled against him. The complainant's statement was also recorded by the Enquiry Officer.

355. The complainant has filed affidavit at Ex. 2/W and given evidence at Ex. 9/W, before me. In his evidence before me he denies the charges levelled against him.

356. The Enquiry Officer found the complainant guilty of stopping company's barge loading work on 1st March, 1969. It means that he has not found him guilty of threatening and attacking Shri Devidas Naik, Driver.

357. Shri Prahlad Kolwalkar has not been examined as a witness before me. S/shri Shivram Sanguemkar and Silimcan were examined as witnesses before me, but on their evidence, for reasons already given above, charge No. 2 levelled against the complainant cannot be held proved.

358. As the charges levelled against the complainant cannot be held proved, his dismissal is not justified. He is therefore entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

359. **Complaint No. CGIT-2/10 of 1969.**—In the enquiry against the complainant Shri Vidhyanand Kauthankar, the charges levelled against him were as follows:—

"On Monday, the 17th February, 1969, you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the Company's loyal workers on duty. Also on 1st and 2nd March, 1969, you again went to Capxem and stopped our loading, thereby putting the company to heavy losses."

360. Opponent's case is that during the enquiry S/shri Silimcan, Chodnenkar, Shivram Sanguemkar and Prahlad Kolwalkar were examined as witnesses against this complainant to prove the charges levelled against him. The complainant's statement was also recorded by the Enquiry Officer.

361. The complainant Shri Vidyanand Kauthankar has filed affidavit at Ex. 1/W and given evidence before me at Ex. 6/W.

362. In his affidavit Ex. 1/W he says that he has denied all the charges levelled against him by the Enquiry Officer. He says in his evidence before me that Shri Kamat was asking certain questions and Shri Hegde Desai was recording the statement. When Shri Kamat asked him to put signature on the statement he refused to do so. Shri Kamat gave him a threat of handing over him to the Police if he would not put signature on the statement. On account of this threat he put signature on the statement.

363. Shri Prahlad Kolwalkar has not been examined before me. S/shri Silimcan, Chodnenkar, and Shivram Sanguemkar have been examined before me, but on their evidence before me for the reasons already given above, charges levelled against the complainant cannot be held proved.

364. As the charges levelled against the complainant cannot be held proved, his dismissal is not justified. He is therefore entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

365. **Complaint No. CGIT-2/26 of 1969.**—In the enquiry against the complainant, Shri Edward Gracias, the charges levelled against him were as follows:—

"On Monday, the 17th February 1969, you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st and 2nd March 1969, you again went to Capxem and stopped our loading, thereby putting the company to heavy losses."

366. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Prahlad Kolwalkar and Silimcan were examined as witnesses against this complainant to prove the charges levelled against him. The complainant's statement was also recorded by the Enquiry Officer.

367. The complainant has filed affidavit at Ex. 1/W and given evidence at Ex. 6/W. In his evidence before me he says as follows:—

"I had not been to Capxem Jetty on 17th February, 1969. All allegations regarding the incident of 17th February, 1969 at Capxem Jetty made against me by the company are false. I had been to Capxem Jetty on 1st and 2nd March, 1969 but I had not obstructed loading operation. There was no loading operation at Capxem Jetty either on 1st or 2nd March, 1969 while I was there.

I alongwith others went to Capxem Jetty on 1st March, 1969 with the expectation to meet the Director of M/s. Pandurang Timblo Pvt. Ltd. (Patrov).

My signature on my statement before the Enquiry Officer was taken without reading it out to me. I was not willing to sign the statement. I was about to leave the room but Shri Silimcan induced me to sign the statement. I was refusing to sign the statement because I was not allowed to read its contents."

368. The complainant has been cross-examined at great length regarding the charges levelled against him during the enquiry but he stood the test of severe cross-examination. I am convinced from his evidence, that he had not caused any obstruction to loading operation and that he had not given any threat to company's loyal workers.

369. Shri Prahlad Kolwalkar has not been examined before me. S/shri Shivram Sanguemkar and Silimcan have been examined before me but on their evidence, for reason already given above, the charges levelled against the complainant cannot be held proved.

370. As the charges levelled against the complainant cannot be held proved, his dismissal is not justified. He is therefore entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

371. **Complaint No. CGIT-2/11 of 1969.**—In the enquiry against the complainant Shri Joaquim D'Mello the charges levelled against him were as follows:—

"On Monday, the 17th February, 1969, you along with other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st and 2nd March, 1969, you again went to Capxem and stopped our loading, thereby putting the company to heavy losses."

372. Opponent's case is that during the enquiry S/shri Shivram Sanguemkar, Prahlad Kolwalkar and Silimcan were examined as witnesses against this complainant to prove the charges levelled against him. The complainant's statement was also recorded by the Enquiry Officer.

373. The complainant has filed affidavit at Ex. 1/W and given evidence at Ex. 3/W. In his affidavit he specifically states that he has denied all the charges during the enquiry and that he has not obstructed company's loading on 1st and 2nd March, 1969. In his evidence Ex. 3/W, he states that he did not obstruct company's loading operation on any day and that he did not give threat to any of the workers of the company and that he did not admit the charges levelled against him before the Enquiry Officer. He has been cross-examined at great length on point of charges levelled against him. He states in his evidence before me what particular portion of his statement before the Enquiry Officer was not given by him.

374. Shri Prahlad Kolwalkar has not been examined before me. S/shri Silimcan and Shivram Sanguemkar have been examined before me but on their evidence before me for the reasons already given above, the charges levelled against the complainant cannot be held proved. As the charges levelled against the complainant cannot be held proved, his dismissal is not justified. He is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement.

375. **Complaint No. CGIT-2/21 of 1969.**—In the enquiry against the complainant Shri Dattaram Shirodkar, the charges levelled against him were as follows:—

"On Monday, the 17th February, 1969, you along with other workmen went to the Capxem Jetty and stopped company work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st March 1969, you again went to Capxem and stopped our loading, thereby putting the company to heavy losses."

376. Opponent's case is that during the enquiry statements of S/shri Shivram Sanguemkar, Krishnadeo Kamat and Silimcan were recorded, and that statement of the complainant was also recorded.

377. The complainant has given evidence before me at Ex. 5/W. In his evidence before me he says that he denied all the charges levelled against him and that he did not obstruct the barge loading on any day. He also says in his evidence that the Enquiry Officer Shri M. P. Kamat asked him something during the enquiry and Shri Hegde Desai recorded it and that he put his signature below the statement. He further states that his statement was not read out to him, that while he was leaving the enquiry hall Shri Kamat asked him to come back and put his signature on the statement and that he therefore put his signature on the statement. In his cross-examination it was not suggested to him that his statement was read out to him. Hence the complainant's statement that his statement recorded by the Enquiry Officer was not read out to him stands unchallenged.

378. The Enquiry Officer Shri Kamat, Ex. 10/E in his cross-examination denies the suggestion that the complainant's statement was not read out to him.

379. The enquiry in respect of complaint No. CGIT-2/21 of 1969 took place on 5th April, 1969 along with other enquiries. On that day 33 witnesses and 4 affected workmen were examined *vide* Ex. 37/W. From the circumstances and evidence on record, I find that it was physically impossible for the enquiry officer Shri Kamat to hold so many enquiries and complete the same by recording the evidence of number of witnesses including the workmen. In view of these circumstances, no weight can be attached to the testimony of the Enquiry Officer when he speaks as to how each enquiry was conducted on a particular day, and as to what he did during each enquiry.

380. In view of the peculiar circumstances referred to above, the complainant's statement during the enquiry alleged to have been recorded by the Enquiry Officer cannot be given any weight.

381. S/Shri Shivram Sanguemkar, Krishnadeo Kamat and Silimcan were examined before me but on their evidence before me for reasons already given above, the charges levelled against the complainant cannot be held proved.

382. As the charges levelled against the complainant cannot be held proved, his dismissal is not justified. He is entitled to reinstatement with continuity of service and full back wages from the date of dismissal till the date of reinstatement in service.

383. **Complaint No. CGIT-2/2 of 1969.**—In the enquiry against the complainant Shri John Pereira, the charge levelled against him as follows:—

"1. Threatening and attacking Shri Vishnu Karmali while he was on duty."

384. The opponent's case is that during the enquiry S/Shri Vishnu Karmali, Prahlad Kolwalkar and Philip Carvalho were examined as witnesses. Statement of Shri John Pereira was also recorded.

385. The complainant has given evidence at Ex. 4/W before me. In his evidence before me, he admits the statement recorded by the Enquiry Officer Shri Kamat.

386. In his statement before the Enquiry Officer he states "I did stop the truck GDT-5437 on 15th February, 1969 at about 8.15 to 8.30 P.M. I would like to further state that I had a stick in my hand but not danda. I have stopped the vehicle to ask V. Karmali only to ask him whether he wanted to join the strike or not. But he did not give the reply and took the vehicle in the reverse. I also saw him putting up the glasses of the door of the cabin then again he took the vehicle further and went away. I also accept that I did knock on the glasses of the truck while it was going in the reverse. I have nothing to add in connection with the above incidence. Now the statements of Shri Vishnu Karmali and Shri Prahlad Kolwalkar which were recorded earlier were read before me and both the persons were presented and I was asked whether I would like to put them any questions or cross-examine them to which I replied that there was no necessity."

387. From the statement given by Shri John Pereira before the Enquiry Officer referred to above, it cannot be

said that he had given threat and attacked Shri Vishnu Karmali. What he says is that he stopped the vehicle to ask Shri Vishnu Karmali as to whether he wanted to join the strike and that while the later was taking the vehicle on reverse, he knocked on the glass of the truck. In my opinion his evidence, the charge of threatening and attacking Shri Vishnu Karmali cannot be held proved.

388. As regards the statements of Vishnu Karmali and Prahlad Kolwalkar, the complainant's case is that their statements already recorded were read out to him and he was asked as to whether he would like to cross-examine them.

389. Already recorded statement put in the enquiry proceedings and read out to the workman concerned would not be sufficient. Statements will have to be recorded in the presence of the person concerned. In my opinion mere reading out the statement on record would amount to depriving the workman concerned of the opportunity to defend himself. It violates the principles of natural justice.

390. S/Shri Vishnu Karmali and Prahlad Kolwalkar have not been examined before me. In the absence of their evidence before me, the charge levelled against the complainant before the enquiry officer cannot be held proved.

391. As the charge levelled against the complainant cannot be held proved, his dismissal is not justified. He is entitled to reinstatement with continuity of service and full back wages minus the earnings already made by him from the date of dismissal till the date of reinstatement in service.

392. **Complaint No. CGIT-2/39 of 1969.**—In the enquiry against the complainant Shri B. R. Patil, the charges levelled against him were as follows:—

"On Monday, the 17th February, 1969, you alongwith other workmen went to the Capxem Jetty and stopped company's work of loading the ore into the barge and also threatened the company's loyal workers on duty. Also on 1st March 1969, you again went to Copxem and stopped our loading, thereby putting the company to heavy losses."

393. Opponent's case is that during the Enquiry S/Shri Silimcan, Chodnenkar, Shivram Sanguemkar and Prahlad Kolwalkar were examined as witnesses. Statement of the complainant was also recorded.

394. Complainant has given evidence before me as Ex. 5/ W. In his evidence before me he says that he denied the charges levelled against him, that he had not gone to Orbin of Capxem Jetty, that when he entered the enquiry office, there were Enquiry Officer Shri Kamat, Silimcan, Appa Chodnenkar and Hegde Desai and that S/Shri Shivram Sanguemkar, Appa Chodnenkar and Silimcan were not examined by the enquiry officer in his presence. He also states that Enquiry Officer only recorded his statement and that the original statement recorded by Shri Kamat is correct and bears his signature.

395. In his statement before the enquiry officer he admits that on 17th February, 1969 he had been to Copxem Jetty, that he accompanied the procession in which S/shri Prahlad Kolwalkar and Krishnadeo Kamat were there, that they had decided to stop barge loading and that barge loading was stopped by taking S/shri Krishnadeo Kamat and Prahlad Kolwalkar. He also admits to have gone to Copxem Jetty on 1st March, 1969 and that the intention was to stop barge loading.

396. The Enquiry Officer Shri Kamat on the basis of statement given by Shri Patil before him found him guilty of the charges levelled against him.

397. As the complainant admitted the charges levelled against him before the enquiry officer and as he also admits the same statement before me as correct, the charges levelled against him will have to be held established.

398. The opponent has dismissed the complainant on the charges levelled against him and held proved. Before dismissing him, the authority concerned had not taken the

previous record into consideration and given him opportunity to show cause as to why the punishment of dismissal should not be given to him. In view of this, the punishment of dismissal inflicted on the complainant cannot be justified.

399. As the complainant has been found to have committed misconduct, he is to be punished. As the punishment of dismissal appears to be severe and disproportionate to the gravity of the charges levelled against him, ends of justice will meet, if he is reinstated with continuity of service and other benefits without back wages for the period from the date of dismissal till the date of reinstatement.

400. It may be noted that in case of complainants who have admitted to have received earnings after their dismissals, they have been directed to get their dues from the date of dismissal till the date of reinstatement determined by filing application under Section 33C(2) of the I.D. Act, 1947 before the appropriate Labour Court. In respect of other complainants who have not received any earnings and who remained unemployed from the date of dismissals, they are allowed back wages from the date of dismissals till the date of reinstatements.

Point No. XI

401. In view of my findings that this Tribunal has no jurisdiction to entertain the complaints Nos. CGIT-2/7, 16-17, 20 and 36 of 1969, the complainants in these complaints would not be entitled to any relief. In case it is held that this Tribunal has jurisdiction to entertain these five complaints also, my findings in respect of them would be as mentioned above.

402. In the end I pass the following order:—

ORDER

- (i) Complaint Nos. CGIT-2/7 of 1969, CGIT-2/16 of 1969, CGIT-2/17 of 1969, CGIT-2/20 of 1969 and CGIT-2/36 of 1969 under Section 33A of the I.D. Act, 1947 are dismissed, as this Tribunal has no jurisdiction to entertain them.
- (ii) It is hereby declared that dismissal of complainant Shri B. R. Patil in complaint No. CGIT-2/39 of 1969 by the opponent is not justified and that he is entitled to reinstatement with continuity of service and other benefits without back wages from the date of dismissal till the date of reinstatement.
- (iii) It is hereby declared that dismissals of the complainants in Complaint Nos. CGIT-2/4 of 1969 and CGIT-2/21 of 1969 are not justified and that they are each entitled to reinstatement with continuity of service and full back wages from the date of dismissal till the date of reinstatement in service.
- (iv) It is hereby declared that dismissals of complainants in complaint Nos. CGIT-2/6 of 1969, CGIT-2/18 of 1969, CGIT-2/14 of 1969, CGIT-2/41 of 1969, CGIT-2/22 of 1969, CGIT-2/31 of 1969, CGIT-2/34 of 1969, CGIT-2/13 of 1969, CGIT-2/19 of 1969, CGIT-2/9 of 1969, CGIT-2/40 of 1969, CGIT-2/3 of 1969, CGIT-2/37 of 1969, CGIT-2/24 of 1969, CGIT-2/5 of 1969, CGIT-2/8 of 1969, CGIT-2/10 of 1969, CGIT-2/26 of 1969, CGIT-2/11 of 1969 and CGIT-2/2 of 1969 are not justified and that they are each entitled to reinstatement with continuity of service and full back wages minus the earnings already made by them from the date of dismissal till the date of reinstatement. These complainants should get the amount of their back wages determined and computed in terms of money by filing applications under Section 33C(2) of the I.D. Act, 1947 before the Labour Court concerned.
- (v) Award is made accordingly.
- (vi) Parties to bear their own costs.

(Sd.) N. K. VANI,
Presiding Officer.

Central Government Industrial Tribunal No. 2, Bombay.

ANNEXURE 'A' ATTACHED TO COMPLAINTS ARISING
OUT OF REF. No. CGIT-2/2 of 1969

1. Shri John Pereira, Majorda, Salcette, Goa.
2. Shri Shivaji Golatkar, Sodiem, P.O. Siolim, Bardes, Goa.
3. Ignatius Fernandes, Vagator, Anjuna, Bardes, Goa.
4. Shri Poput Nagvenkar, House No. 347, Khorli, Mapuca, Goa.
5. Shri Digambar Korjuenkar, Parvacho Vanda, Kamurlem, Post Colvale, Pardes, Goa.
6. Shri Sayed Jaipud, Tembervaddo, Nagorcem, Palolem Post Chavdi, Canacona, Goa.
7. Shri Cyprian Fernandes, Maina, Siolim, Bardes, Goa.
8. Shri Shashikant Kakodkar, Savantadi, P.O. Curchorem, Cacora.
9. Shri Vidyanand Kautonkar, Tikadem, Macm, Bicholim, Goa.
10. Shri Joaquim D'Mello, Penha de France, No Bairao Bhounsulo Britona, Goa.
11. Shri Naguesh Redkar, P.O. Siolim, Vagali, Bardes, Goa.
12. Shri Salvador Mendes, Near the Church by Moralem, Sanvordem-Curchorem, Goa.
13. Shri Sutan Carvalho, Magil Vado, Nagva-Verna-Salcett-Goa.
14. Shri Premanand Raikar, Anand Vadi, Sanvordem, Goa.
15. Shri Sabastian Fernandes, Bairo Manzo, Verna, Salcette-Goa.
16. Shri Ragoba Kankonkar, Near Temple Mahadew, Curchorem, Goa.
17. Shri Naresh Kerker, Keri, Mardol-Goa.
18. Shri Dattaram Shirodkar, Parwar Vada, Cacora, Curchorem-Goa.
19. Shri Diogo Fernandes, Bhat Vada, Cacora, Curchorem-Goa.
20. Shri Joseph Monteria, House No. 58, Aquem, Baiko, Ravanfond, Navclim, Salcette, Goa.
21. Shri Edward Gracias, Chavdi, Canacona, Goa.
22. Shri Diago Fernandes, Bairo Cato, Sanguem, Goa.
23. Shri Ponduri Chandra Naik, Carmal, Curchorem, Goa.
24. Shri Uttam Chari, Ghadvaddo, Cacora, P.O. Curchorem-Goa.
25. Shri Ponduri Horadkar, Hodi, Cuncolim, Salcette, Goa.
26. Shri B. R. Patil, Ghadiwala, Cacora, Curchorem, Quepem, Goa.
27. Shri Mathew Carvalho, No Bairo Bamonsai, Sanguem (Goa).
28. Shri Imam H. Kazi, 289, Kalayagargulli, Belgaum.

New Delhi, the 15th December, 1972

S.O. 5268.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Madras, in the industrial dispute between the employers in relation to the management of Oil and Natural Gas Commission, Karaikkal, and their workmen, which was received by the Central Government on the 8th December, 1972

[No. 7/5/70-I.R.IV.]

S. S. SAHASRANAMAN, Under Secy.

BEFORE THIRU G. GOPINATH, B.A., B.L.,
PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
MADRAS.

(Constituted by the Central Government)

Wednesday the 22nd November, 1972

Industrial Dispute No. 52 of 1971

(In the matter of the dispute for adjudication under section 10(1)(d) of the Industrial Disputes Act, 1947 between the workmen and the management of Oil and Natural Gas Commission, Karaikkal).

Between :

The General Secretary, ONGC Mazdoor Sabha, No. 11-A, Plassa South Street, Karaikkal.

AND

The Project Manager, Oil and Natural Gas Commission, Cauvery Project, Karaikkal.

Reference :

Order No. 7(5)/70-I.R-IV, dated 27-2-1971 of the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) Government of India, New Delhi.

This dispute coming on for final hearing on Thursday the 19th October, 1972 upon perusing the reference, claim and counter statements and all other material papers on record and upon hearing the arguments of Thiru K. M. Sundaram, General Secretary, Tamil Nadu A.I.T.U.C., Madras for the union and of Thiru C. Doraswamy, an Officer of the Employers Federation of South India appearing for the Management and this dispute having stood over for consideration till this day, this Tribunal made the following.

AWARD

The issue referred for adjudication by the Central Government, in the industrial dispute between the management of the Oil and Natural Gas Commission, Karaikkal and their workmen is as follows :—

"Whether the removal from service of Shri P. R. Chandran, Assistant Grade II of the Oil and Natural Gas Commission at Karaikkal (Secretary of the Oil and Natural Gas Commission Employees Union Karaikkal) by the Oil and Natural Gas Commission with effect from the 15th December, 1969 was justified? If not, to what relief is he entitled?"

2. The case of the workmen represented by the Oil and Natural Gas Commission Mazdoor Sabha, Karaikkal in their claim statement is as follows :—

Sri P. R. Chandran was an Assistant Grade II in the clerical cadre. He was the Secretary of the Union, and was taking a leading part in the union activities. The Project Manager and Senior Officers were therefore harbouring animosity against him. He was working under Sri K. M. Chanda, the Stores and Purchase Officer in the Stores Department of the ONGC at Karaikkal. On 18-12-1968, Sri N. P. Nair, an employee of the ONGC, Karaikkal who was then under orders of transfer came to Sri P. R. Chandran. As the cashier he had come to meet was not available, Sri Chandran offered him a chair and went to another section. As that time Sri K. M. Chanda came there and asked Sri N. P. Nair to go away. Sri P. R. Chandran who returned by then stated that Sri N. P. Nair was only awaiting the cashier to draw his dues. Sri K. M. Chanda used impolite words against Sri P. R. Chandran and Sri N. P. Nair. Sri N. P. Nair then went away. Sri P. R. Chandran was transferred from his section to another section. After a few days, there was a preliminary enquiry held by a couple of Officers of the ONGC, Karaikkal. On the basis of their findings, a charge sheet was served on Sri P. R. Chandran on 14-4-1969 calling upon him to explain the four charges. Sri P. R. Chandran submitted his explanation to the charges. A domestic enquiry was thereafter held by a Board of three officers which submitted its findings to the Project Manager on 12-10-1969. The Project Manager

gave a memo to Sri P. R. Chandran calling upon him to show cause why punishment should not be inflicted on him as contemplated in regulation 27 of the ONGC (CDA) Regulations. Sri P. R. Chandran gave his reply on 20-11-1969. The Project Manager thereafter issued orders removing Sri P. R. Chandran from service with effect from 15-12-1969.

3. The charges framed against Sri P. R. Chandran are vague and imaginary. The documents and findings of the preliminary enquiry were not furnished to Sri P. R. Chandran in spite of his request. A co-employee's assistance was not given as per (CDA) Regulations in spite of a request by Sri P. R. Chandran. Vital questions put by Sri P. R. Chandran to the witnesses for the management were disallowed by the board of enquiry. Certain important witnesses cited by Sri P. R. Chandran in his defence were not called and examined by the enquiry board. Thus the enquiry was neither fair nor proper. The officers of the board of enquiry were biased. The findings of the board of enquiry are neither clear nor conclusive. The memo served by the punishing authority on Sri P. R. Chandran was not in order as it did not specify the punishment proposed to be inflicted on him. It is a clear case of victimisation. Assuming that the charges are substantiated, the punishment is absolutely disproportionate to the gravity of the charges. It is therefore prayed that Sri P. R. Chandran be ordered to be reinstated with full back wages, continuity in service and other benefits.

4. In the counter statement of the respondent, it is contended as follows:—

Adequate opportunity was given to the employee to meet the charges framed against him. There was neither want of good faith nor victimisation nor unfair labour practice and the respondent has not been guilty of any basic error or violation of the principles of natural justice. The findings of the Board of enquiry were based on materials and evidence adduced at an enquiry properly held for the purpose in which the employee took part and was assisted by co-employees. The order removing the employee from service has therefore been validly and properly passed and no case has been made out by the union warranting interference by this Tribunal. The order of the management is therefore not liable to be set aside. All the allegations made by the union in its claim statement, attacking the correctness of the charges framed against the employee, the conduct of the enquiry, the findings arrived at and the allegation of victimisation are repudiated. The order against the employee removing him from service was, according to the respondent, passed on charges of mis-conduct duly proved at an enquiry properly held for the purpose and none of the factors which would vitiate an order of removal is present in the instant case. The claim made by the union is wholly devoid of merits.

5. **Issue:** Admittedly, Sri P. R. Chandran (hereinafter referred to as the employee) has been removed from service by the order Ex M-8 dated 12-12-1969, after a domestic enquiry. The principles which govern the powers of an Industrial Tribunal to interfere with the decision of the employer following an enquiry made by him, were laid down by the Supreme Court in *Indian Iron & Steel Co. Vs. Their Workmen**, where His Lordship S. K. Das, J. observed at pages 269 and 270 as follows:

"Undoubtedly, the management of a concern has power to direct its own internal administration and discipline; but the power is not unlimited and when a dispute arises, industrial tribunals have been given the power to see whether the termination of service of a workman is justified and to give appropriate relief.

In case of dismissal on misconduct the tribunal does not however, act as a court of appeal and substitute its own judgment for that of the management. It will interfere:

- (i) when there is want of good faith,
- (ii) when there is victimisation or unfair labour practice.
- (iii) when the management has been guilty of a basic error or violation of a principle of natural justice, and
- (iv) when on the materials, the finding is completely baseless or perverse."

It is therefore obvious that this tribunal cannot sit in appeal against the managerial enquiry, but can only step in when one or the other of the above requirements are present.

6. In the claim statement, the employee has contended firstly, that the charges framed against him are vague and indefinite. It cannot be disputed that a fair hearing presupposes a precise and definite catalogue of charges, so that the person charged may understand them and effectively meet them. In other words, if the charges are indefinite, the person charged would not be able to understand them and defend himself effectively and the consequence would be that the enquiry would not be a fair and just enquiry. The test to find out whether the charges are clear is whether the person charged was able to understand them and effectively meet them. Ex. M-1 contains the statement of charges, which are four in number. This is accompanied by a statement of allegations. The charge sheet and the statement of allegations were served on the employees. The details of the instances are given in the statement of allegations. As far as the first charge is concerned, it is contended that not a single incident has been cited to substantiate it and that the employee was never warned of any such allegation previously. But that would be a matter of detail, which has to be substantiated by evidence. There is no obligation on the part of the respondent to give all the instances in support of the charges in the charge sheet itself, as this is a matter of evidence. The charges cannot be characterised as vague. They are specific and contain all the particulars which are necessary to enable the employee to defend himself and to give an adequate explanation. In fact the employee has given an explanation Ex. M-2 running to 20 pages. It is significant that he has not, anywhere in Ex. M-2, indicated that the charges levelled against him are vague. Even in Ex. M-7, the explanation given by the employee on 20-11-1969, it has not been stated that the charges are vague or imprecise. Thus, from the charges and the statement of allegations, the employee had adequate opportunity to understand the allegations levelled against him and defend himself effectively. There is therefore no substance in the contention that the charges framed against him are vague or indefinite.

7. The next criticism made by the employee to support his contention that the enquiry was not fair is that the documents and findings of the preliminary enquiry were not given to him, in spite of his requests to be furnished with them. The preliminary enquiry referred to was in the nature of a fact finding enquiry to ascertain whether a *prima facie* case had been made out. To put it differently, this was to satisfy the company whether disciplinary action against the employee should be launched or not. They did not form part of the evidence before the enquiry officer. The employee had only to defend himself in relation to the averments in the charge sheet and the statement of allegations annexed thereto. Under the Oil and Natural Gas Commission (Conduct, Discipline and Appeal) Regulations, 1964 (Ex. M-11), there was no obligation on the respondent to furnish copies of the findings of the preliminary enquiry to the employee. Under Rule 27, the employee was to be communicated only the charges together with a statement of the allegations on which they were based. It has been held in *"Tata Engineering and Locomotive Company Vs. Prasad"* (1), that it was not obligatory on the company to disclose the preliminary reports, on the strength of which charges against the workman were founded, and that such an omission would not be a ground for holding that their non-disclosure was non-observance of the rules of natural justice. In *"New Victoria Mills Co. Vs. Jagannath"* (2) the High Court of Allahabad has observed as follows:

"A fair hearing includes the giving of a charge sheet to the charged employees containing necessary particulars of the charge. It does not, in my opinion, include the giving of the statements recorded in the preliminary enquiry. The employer may give those statements to the charged employees, if he so decides; but if he does not give those statements to the charged employees along with the chargesheet, it cannot be said that the principles of natural justice have been violated."

It therefore follows that the employee has not been prejudiced in any manner by copies of the findings of the preliminary enquiry not being furnishing to him. Furthermore, in this case, I find that in Ex. M-2, the employee has re-

(1) 1969—II—L.L.J.—page 799.

(2) 1964—I—L.L.J.—Page—110

ferred to the evidence in the preliminary enquiry. As W.W.1, he says that when he gave Ex. M-2, he had the statement of witnesses with him and that he had no difficulty in giving a full explanation, so far as the statements of the witnesses were concerned. In the report of the Board of Enquiry (Ex. M-3) it has been stated that the statements of the witnesses made at the preliminary enquiry were made available to the employee. Having regard to these circumstances, it cannot be contended, with any validity, that the principles of natural justice have been violated and that the enquiry has not been fair as the statements of witnesses in the preliminary enquiry were not furnished to the employee.

8. The next objection voiced in the claim statement is that the employee was not given a co-employee's assistance, as per the regulations (Ex. M-11) in spite of his request. This allegation has no foundation, since it has been definitely contended in the counter statement that throughout the enquiry, the employee was assisted by Sri K. S. Unni, Assistant Grade I, and during his absence on leave by another employee Sri K. P. Ravindranathan. The employee has not, in his evidence as W.W.1, denied this allegation in the counter statement. In the report of enquiry, it has been observed that the employee was allowed to have defence assistance throughout the proceedings before the enquiry Board.

9. The further allegation made by the employee in the claim statement is that vital questions put by him to witnesses of the management in cross-examination were disallowed by the enquiry Board and that certain important witnesses cited by him for his defence were not called and examined. I have gone through the entire proceedings of the enquiry and I notice that considerable latitude has been afforded by the Board to the employee in the cross-examination of the witnesses. In the enquiry report, the Board has observed that only such questions as the Board felt to be totally irrelevant to the charges framed, were disallowed. The relevancy of questions at a domestic enquiry is to be decided by the enquiry officer or the Board, who conducts the enquiry. Unless it is shown that the Board was acting *malafide* in disallowing questions which were relevant such a circumstance would not vitiate the enquiry. Here, no attempt has been made by the employee to show either that important questions were disallowed in cross-examination by the Board, or that the Board was actuated by *malafides* in disallowing such relevant questions. In my view, the Board has only disallowed irrelevant questions and considerable latitude has been given to the employee in cross-examination. As regards the witnesses, the employee has examined 7 witnesses on his behalf. The management has examined 6 witnesses. According to the employee, two of his witnesses were not called and examined by the enquiry Board. They are (a) K. V. Rao, Senior Deputy Manager and (b) V. K. Perumal, Accounts Assistant. It has to be borne in mind that the Board had no power as a Court to summon witnesses. Just as the company had to produce its witnesses, the employee had to take steps to produce his witnesses. In the report, the Board has observed that the above two witnesses were not called as defence witnesses as they were, by then, posted at other projects and were not considered necessary by the Board. Obviously, they were not witnesses to the incidents mentioned in the charge sheet. W.W.1, apart from saying that they were necessary witnesses, has not shown how they were necessary and how his defence has suffered because of their non-examination. The jurisdiction of the Board to refuse to examine a witness if it *bonafide* came to the conclusion that the said witness would be irrelevant or immaterial has been recognised in "Ananda Bazar Patrika Vs. Their Employees" (1). It is not shown that the refusal on the part of the Board to examine the above two witnesses was the result of a desire on their part to deprive the employee of an opportunity to establish his innocence. In this case, there has been a long and elaborate enquiry. Therefore, when the Board refused the request of the employee to examine these two witnesses, the Board cannot be said to have acted in any arbitrary or *malafide* manner. The employee has stated in his evidence, that his cross-examination was not properly recorded. There is no such complaint made in the claim statement. He further admits in his cross-examination that it was because the Board disallowed certain questions that he stated that there was no proper recording of his cross-examination.

I have already dealt with the contention that the disallowance of questions put by the employee in cross-examination was justified.

(10) It is only on the above grounds that the employee has characterised the domestic enquiry as neither fair nor proper. (para 14 of the claim statement). As I have found against all of them, it necessarily follows that the domestic enquiry is proper and held in accordance with the rules of natural justice.

(11) It has been urged in the claim statement that the Board of enquiry consisted of officers, who were biased against the employee for his Trade Union activities. But the three officers, who constituted the Board, were not connected with the administrative section, where, admittedly, the employee was working at that time. They had no dealings with him either in his official capacity or otherwise. There is therefore no basis in the complaint that the officers were partial. It is then contended that the charge sheet was signed by the Project Manager, who was personally prejudiced against the employee, and that the enquiry officers were his subordinates. There is no material to hold that the Project Manager was personally prejudiced against the employee. He was the disciplinary authority and under the CDA regulations, (Ex. M-11) he had the authority to constitute a Board of enquiry and it was pursuant to this authority that the Board was constituted. The fact that the Board of enquiry consisted of the subordinates of the Project Officer is neither here nor there.

(12) It is further contended in the claim statement that the findings of the Board are not clear and conclusive and that the Project Manager, as the disciplinary authority, had disagreed with the Board and come to his own conclusions. This, it is argued on behalf of the employee, has vitiated the disciplinary action taken against him. With regard to the findings of the domestic Tribunal, I am inclined to characterise them as not as precise as one would expect them to be. But reading the entire report and the findings, there can be no doubt that the Board of enquiry has found the employee guilty of all the charges, though in respect of charge No. 3, the Board felt that the exact threat of the employee against Shri P. R. Chandran was not clear. It cannot be said that the findings are inconclusive. Of course, it could have been worded better. All the same it cannot be gain that the Board had found in the affirmative in respect of charges 1, 2 and 4. It is not case of the employee that there is no evidence to support the findings of the Board of enquiry; in other words, that the findings are perverse. When conclusions have been reached at the domestic enquiry which has been held in accordance with the rules, and are not perverse, it is not open to the tribunal to consider the propriety or correctness of the said conclusions. There was sufficient evidence before the Board of enquiry, on which those conclusions could be based, and certainly the findings of the Board of enquiry are not perverse, for it is not shown that the findings are not supported by any evidence or are entirely opposed to the whole of the evidence adduced before it. As regards the conclusions of the disciplinary authority, who has substantially agreed with the in his capacity as the disciplinary authority, under the CDA regulations, either to agree or disagree with the findings of the Board. In Ex. M-5, he has given his reasons for disagreeing with the Board of enquiry with regard to charge No. 3 and has also furnished a copy thereof to the employee, as required under rule 27. Therefore the contention of the employee that the findings of the Board of enquiry are not clear and that the Project Manager could not have disagreed with the conclusions of the Board, is not tenable.

(13) It is next urged that the memo dated 7th November 1969 served by the Project Manager on the employee was not in order as the punishing authority has not specified the punishment proposed against the employee, in the absence of which, he could not give a proper reply. Ex. M-6 is the memorandum issued by the Project Manager, the disciplinary authority, stating that action was proposed to be taken against the employee under rule 27 of ONGC (C. D&A) Rule, 1964, and calling upon him to submit any further representation which he wished to make on the proposed action. The nature of the penalties are laid down under rule 25. Rule 27 related to the procedure to be followed before imposing any of the penalties specified in clauses 4

to 7 of rule 25. This includes the punishment of removal from service as also dismissal from service. Therefore, it cannot be said that the punishing authority has not specified the punishment proposed to be imposed or that the employee was prejudiced in that he could not make a sufficient representation in answer to it. Ex. M-7 is the representation made by the employee, which is fairly elaborate and therefore it cannot be said that the memo Ex. M-6 does not satisfy the requirements laid down in rule 27. It is also not pretended that the requirements of natural justice have not been satisfied by the issue of a memo like Ex. M-6.

(14) It has also been urged that this is a clear case of victimisation. I cannot agree. The employee has been found guilty of misconduct. When that is so, no question of victimisation of the employee can arise. vide "Tata Engineering & Locomotive Co. Vs. Prasad" (1). The fact that the officers of the establishment are inimically disposed towards the employee, assuming it to be true, has, in the circumstances, no relevancy, for once it is held that the employee is guilty of misconduct, and it is found that the said conclusion is not preverse, the dismissal of the offending employee has to be upheld, even if he is an active trade union member.

(15) Lastly, it has been contended that the punishment meted out to the employee, in any case, it absolutely disproportionate to the gravity of the charges. It is now well-settled that the award of penalty for misconduct under the standing orders, if any, is a matter for the management to decide and if there is any justification in the punishment imposed, the Tribunal should not interfere. It is not required to consider the propriety or adequacy of the punishment or whether it is excessive or severe. However, where the punishment is shockingly disproportionate, reference being had to the particular misconduct, such as no reasonable employer would ever imposed in like circumstances, the tribunal may treat the imposition of such punishment as itself showing victimisation. I do not think that such an inference is possible in this case. Of the four charges, which have been found established against the employee, charge No. 3 is very serious for it is an act of insubordination. Though the exact words of threat have not been proved, it is obvious that the employee did threaten his superior officer. It amounts to not only an offensive and impertinent conduct but is also an act of gross indiscipline. It cannot therefore be said that the penalty of removal from service of the employee is disproportionate to the misconduct.

(16) In the result, I hold that the removal of the employee from service was justified and pass an award accordingly.

Dated, this the 22nd day of November, 1972.

G. GOPINATH, Presiding Officer.

WITNESSES EXAMINED

For workmen :

W.W. 1—Thiru P. R. Chandran.

For management : None.

DOCUMENTS MARKED

For workmen : Nil.

For management :

Ex. M-1/10-4-1969.—Memo issued to Thiru P. R. Chandran calling for explanation (enclosing statement of allegations and charges thereof).

Ex. M-2/5-5-1969.—Explanation of Thiru P. R. Chandran to Ex. M-1.

Ex. M-3/12-10-1969.—Enquiry report of the board of enquiry.

Ex. M-4/ — —.—List of documents and statements by the witnesses recorded in the enquiry.

Ex. M-5/7-11-1969.—Conclusion of the Project Manager on the enquiry report.

Ex. M-6/7-11-1969.—Memo issued to Thiru P. R. Chandran calling for representation against the proposed action.

Ex. M-7/20-11-1969.—Explanation of Thiru P. R. Chandran to Ex. M-6.

Ex. M-8/12-12-1969.—Order of dismissal to Thiru P. R. Chandran.

Ex. M-9/22-12-1968.—Letter from Stores Purchase Officer to the Senior Deputy Manager about Thiru P. R. Chandran.

Ex. M-10/ — —.—

Enquiry proceedings :

(1) Statement of Thiru K. M. Chanda, Stores and Purchase Officer dated 31st January, 1969—Annexure 3.

(2) Statement of the Presenting Officer dated 6th June, 1969—Annexure—4.

(3) Statement of Thiru S. M. Jha, Assistant Engineer (Civil) dated 1st January, 1969 and 22nd May, 1969 (Annexures—5 and 6).

(4) Statement of Thiru Mehta, Assistant Transport Officer, dated 7th February, 1969 and 6th June, 1969 (Annexures—7 and 8).

(5) Statements of Thiru G. B. Bhoopathy, Store-keeper, Grade I, dated 1st January, 1969 and 6th June, 1969 (Annexure—9 and 10).

(6) Statements of Thiru J. K. Kohli, Store Keeper, Grade II, dated 1st February, 1969 and 7th June, 1969 (Annexures—11 and 12).

(7) Statements of Thiru K. S. Unni, Assistant Grade I, dated 31st January, 1969 and 6th June, 1969 (Annexures—13 and 14).

(8) Statement of Thiru R. Surulinathan, Field Superintendent dated 23rd June, 1969 (Annexure—15).

(9) Statements of Mary Joseph Anthony Desire, Assistant Grade III, dated 31st January, 1969 and 23rd June, 1969 (Annexures—16 and 17).

(10) Statement of Thiru S. Yamunachari, Assistant Grade III, dated 3rd February, 1969 (Annexure—18).

(11) Statement of Thiru S. Yamunachari, Assistant Grade III, dated 23rd June, 1969 (Annexure—19).

(12) Statement of Thiru K. R. Pillai, Accounts Assistant dated 26th June, 1969 (Annexure—20).

(13) Statement of Thiru B. N. Prasad, Chief Store-keeper dated 31st December, 1968 (Annexure—21).

(14) Statement of Thiru B. N. Prasad, G.S.K. dated 23rd June, 1969 (Annexure—22).

(15) Statement of Thiru P. S. Nair, Accounts Assistant, dated 4th July, 1969 (Annexure—23).

(16) Statement of Thiru N. R. Panicker, Accounts Assistant dated 16th July, 1969 (Annexure—24).

(17) Statement of Thiru M. P. Balakrishnan, Store-keeper Grade II dated 16th July, 1969 (Annexure—25).

(18) Statement of Thiru N. P. Nair, Topman, dated 16th July, 1969 (Annexure—26).

(19) Statement of Thiru K. P. Ravindranathan, Assistant-II, dated 14th August, 1969 (Annexure—27).

(20) Statement of Thiru K. N. S. Nair, Accounts Assistant, dated 14th August, 1969 (Annexure—28).

(21) Statement of Thiru V. Ananthakrishnan, Accounts Assistant (Cashier) dated 14th August, 1969 (Annexure—29).

(22) Statement of Thiru O. C. Oommen, Junior Accountant dated 17th September, 1969 (Annexure—30).

(23) Statement of Thiru V. Srinivasan, Store-keeper Grade I, dated 14th August, 1969 (Annexure—31).

Ex. M-11.—Oil and Natural Gas Commission (conduct, discipline and appeal) Regulations, 1964 (copy).

Ex. M-12/6-2-1969.—Statement of Thiru P. R. Chandran, at the enquiry (Annexure—34).

Ex. M-13/11-2-1969.—Letter from the Industrial Relations Officer, Dehra Dun to the Management enclosing copy of letter of Thiru P. R. Chandran and Telegram given by him.

Ex. M-14/17-9-1969.—Statement of Thiru P. R. Chandran (Annexure—35).

Ex. M-15/17-9-1969.—Statement of Thiru P. R. Chandran (in his defence) (Annexure—36).

Ex. M-16/17-9-1969.—Sketch of Main office buildings (Annexure—37 and 38).

Ex. M-17/3-6-1970.—Memorandum issued to W.W. 1 by the Project Manager rejecting the appeal. (copy).

Ex. M-18/15-1-1970.—Appeal to the Director of Administration, ONGC, Dehra Dun by W.W. 1.

Ex. M-19/4-11-1969.—Letter by the Union to Thiru L. J. Johnson, Chairman, ONGC, Dehra Dun about Thiru K. N. Chanda, Stores and Purchase Officer.

INDUSTRIAL TRIBUNAL

Notes :—The parties are directed to take return of their document/documents within six months from the date of the award.

New Delhi, the 7th December, 1972

S.O. 5269.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Bombay, in the industrial dispute between the employers in relation to the management of Messrs H. H. Ismail, Padav Owners, Bombay-10 and their workmen, which was received by the Central Government on the 29th November, 1972.

[No. L. 31011/5/71-P. & D.]

V. SANKRALINGAM, Under Secy.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, BOMBAY.

Reference No. CGIT-6 of 1971

Parties :

Employers in relation to the management of Messrs.
H. H. Ismail, Padav Owners, Bombay 10.

and

their workmen.

Present :

Shri A. T. Zambie, Presiding Officer

Appearances :

For the employers:—Shri S. R. Tilak, Advocate with
Shri H. H. Ismail, Padav Owner.

For the workmen:—Shri Dnyan Dev Shankar Durgaoi,
Secretary, New National Dock Workers' Union
and later Shri S. P. Kulkarni, Secretary.

State :—

Maharashtra.

Industry :—

Major Ports and Docks.

Bombay, dated 13th November, 1972

AWARD

The Government of India, Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, have by their Order No. L-31011/5/71-P & D dated 21st September, 1971 referred to this Tribunal for adjudication an industrial dispute existing between the employers in relation to the management of Messrs. H. H. Ismail, Padav Owners, Bombay 10 and their workmen in respect of the matters specified in the following schedule:—

SCHEDULE

“Whether the demands made by the General Secretary, New National Dock Workers' Union, Bombay 9 in respect of the workman employed by Messrs. H. H. Ismail, Padav Owner, Bombay 10 for (1) payment of bonus for the years 1969 and 1970 as per the provisions of the Payment of Bonus Act 1965 and (2) for maintaining the minimum crew strength of one Tindal and one khalasi on each Padav when it is idle, are justified? If so, to what relief are the workmen entitled?”

2. The employers are the owners of Padavs and Unpropelled barges and deal in the trade of cargo traffic in the docks of Bombay harbour. The company supplies padavs and barges to the stevedores and shipowners for handling the cargo traffic within the area of Bombay harbour and for this purpose employs workers on the padavs and barges. Even when the Padavs are idle the employers have to maintain some crew on the padavs and as per practice prevalent in the docks of Bombay it is alleged that at least one tindal and one khalasi are employed.

2A. The employees of Messrs. H. H. Ismail & Co. Padav Owners are the members of the New National Dock Workers Union. This union has by its statement of claim dated 14-1-72 alleged that the employers have made huge profits during the two years 1969-1970 and 1970-1971 and the employees were entitled to get maximum bonus at 20 per cent of the wages earned by them during the two years. It has further contended that the other owners of the padavs and barges have paid bonus to their employees ranging from 4 to 9 per cent and as the Padavs and barges of the employers are always engaged throughout the year they made huge profits and are liable to pay the maximum bonus under the provisions of the Payment of Bonus Act. It is alleged that the owners have reduced the strength of the crew on the idle barges and padavs. As per the practice prevalent in the harbour and for the safety and convenience the attendance of at least one tindal and one khalasi on each padav/barge lying idle in the docks is necessary and the company's action in reducing the strength to one from two is illegal and the management should be directed to employ at least two persons on the idle padavs. The tindal will require the assistance of at least one person who is supposed to be a khalasi to look after the padavs and guard the properties and or the goods in trade when it is stationary. The stationary padavs are also required to be shifted from place to place to and for in order to facilitate every other padav to get accommodation in the harbour and hence it requires the assistance of a khalasi to help the tindal and the reduction of one members of the crew on the idle padavs by the owners is illegal and the employees are entitled to get the relief of maximum bonus and the relief of maintaining the strength of two employees on the idle padavs.

3. The employers have by their reply dated 10-2-1972 denied the allegations and have contended that they had only four padavs which they were giving on hire to different companies. They have first opposed the reference on the technical ground that they had never employed more than 20 workmen at any point of time and the provisions of the Payment of Bonus Act are not applicable to the company and therefore the workmen are not entitled to claim bonus under the Payment of Bonus Act. It has been further contended that the accounting year of the company is from Diwali to Diwali and the alleged demand of the workmen and the issue pertaining to it of bonus for the years 1969 and 1970 is not maintainable. The company's accounting year is not the calendar year and the demand is not capable of being adjudicated as in the reference order the issue stated is bonus for the calendar years 1969 and 1970. As

regards the merits they have contended that the company has already paid bonus to all the workmen who were in their employment during the years 1969-1970 at the rate of 4 per cent of their total earnings and they are not entitled to claim any further bonus. It has alleged that the union had not made any demand for bonus for the years 1969-1970 and 1970-71, though the Payment of Bonus Act was not applicable to the company on a sympathetic consideration and at its own discretion paid bonus to the workers in the accounting years 1969-1970 and 1970-71 after the demand was raised and they are not entitled to claim anything more.

4. Regarding the strength of the crew on the idle padavs it is alleged that it is entirely the discretion of the management to decide the minimum and maximum strength to be maintained on these idle padavs and the demand is not tenable. They have contended that only one person is sufficient to take out the sea water inside the padav and there is no necessity of any khalasi as contended.

5. After the pleadings the reference was kept for hearing on various occasions. Every time registered notices were issued and the union was served but nobody remained present. Subsequently a notice was issued to the workmen under rule 20(2) of the Industrial Disputes (Central) Rules and the management was directed to affix a copy of the notice of hearing at the main entrance of the premises but neither the workers nor the union remained present and ultimately the reference had to be heard ex parte.

6. I have already stated that the union had filed its statement of claim on 14-1-1972 and the employer's reply statement was filed on 10-2-1972. Thereafter the reference was fixed for hearing on various dates such as 29-3-1972, 27-4-1972, 22-5-1972, 22-6-1972, 22-7-1972. Every time the management was present but nobody appeared on behalf of the workmen. On the 22nd July, 1972 one Shri S. P. Kulkarni, claiming to be the Secretary of the Union gave an application for adjournment of the hearing on that date and accordingly the hearing was postponed to 29-7-1972. But on that day he did not remain present and a fresh notice of hearing for 2nd September, 1972 was issued. Nobody on behalf of the workmen remained present on that day also. Subsequently the case was fixed for hearing on 7-10-1972 and as nobody remained present on behalf of the workmen the case was heard ex parte and the employer was examined. Again it was fixed for hearing today the 13th November, 1972. The workers have remained absent and hence the employer was heard and the matter is decided.

7. The employers have contended that they have paid bonus to the workmen in their employ at the rate of 4 per cent as there was no available surplus. The employer has also produced 7 receipts signed by the employees. He also produced a copy of the notice affixed at the main entrance of the establishment and the evidence clearly shows that as the employees have been paid bonus there remains no dispute and hence the workers and the Union have remained absent. Hence I pass a no dispute award and the workmen are not entitled to get any relief. Hence my award accordingly.

No order as to costs.

A. T. ZAMBRE, Presiding Officer.

New Delhi, the 7th December, 1972

S.O. 5270.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Arbitrator, in the industrial dispute between the employers in relation to the management of the Commissioners for the Port of Calcutta and their workmen, which was received by the Central Government on the 28th November, 1972.

[No. L-32013/1/72-P & D.]

V. SANKRALINGAM, Under Secy.

BEFORE SRI A. N. ROY, ARBITRATOR

Arbitration in Industrial Dispute

BETWEEN

The Commissioners for the Port of Calcutta and their workmen represented by National Union of Waterfront Workers, Calcutta.

Present :

Sri A. N. Roy, Arbitrator.

Appearance :

For the employer :—

1. Sri S. P. Naha, Dy. Labour Adviser & Industrial Relations Officer, Calcutta Port Commissioners.
2. Sri R. K. Bose, Labour Officer, Calcutta Port Commissioners.
3. Sri Mathews, Superintendent, Dry Docks Calcutta Port Commissioners.

For the workmen :

1. Sri Santosh Kar, Secretary, National Union of Waterfront Workers.

ARBITRATION AWARD UNDER SECTION 10A OF THE INDUSTRIAL DISPUTES ACT, 1947

The management of the Commissioners for the Port of Calcutta and their workmen represented by National Union of Waterfront workers by an Arbitration Agreement dated 22-8-72 agreed to refer the Industrial Disputes existing between them over the question of seniority of Sarvashri Sitaram Bhikaji Makhale and Babaji Raghunath Juwatkar to arbitration under Sub-section (1) of section 10A of the Industrial Disputes Act, 1947 (14 of 1947). The Government of India in the Ministry of Labour & Rehabilitation (Department of Labour & Employment), in pursuance of the provisions of Sub-section (3) of Section 10A of the I.D. Act, 1947 (14 of 1947) published the said Arbitration agreement vide Notification No. L-32013/1/72-P & D dated 13-9-72. The following specific matter in dispute was referred to my Arbitration :—

Specific matter in dispute

"Whether the claim of Sri Sitaram Bhikaji Makhale for seniority over Sri Babaji Raghunath Juwatkar both Lascars-I, working in the establishment of Superintendent, Dry Docks under Director, Marine Department on grounds of age is justified? If so, what relief he is entitled to?

On receipt of the copy of Gazette Notification I fixed up hearing in the matter in my office on 11-10-72 requesting the parties at the same time to submit their written statement by 30th September, 1972 vide my letter No. Cal. 53 (66)/72 dated 22-9-72, endorsing a copy thereto to the opposite party so that each party could submit their counter comments to the endorsing copy to the other party. Accordingly, the National Union of Waterfront Workers submitted their written statement to me in the matter vide its letter No. NU/25/1054/72 dated 30th September, 1972 endorsing copy to the opposite party. The management of the Commissioners for the Port of Calcutta however failed to submit their statement within the stipulated date; instead they requested to fix up the hearing on a future date after Puja Holidays. Accordingly, the hearing was fixed on 30-10-72 which was again adjourned to 3-11-72. Meantime, the Commissioners Port of Calcutta submitted their written statement in the matter to me vide letter No. 1 D(1)/93/845 dated 26th October, 1972.

The parties were heard in person on 3-11-72.

Sarvashri S. P. Naha, Dy. Labour Adviser and Industrial Relations Officer, R. K. Bose, Labour Officer and Mathews, Superintendent, Dry Docks represented the Commissioners for the Port of Calcutta and Sri Santosh Kar, Secretary, National Union of Waterfront Workers represented the workmen in the hearing.

The case of the National Union of Waterfront Workers in the instant dispute is in brief as follows:—

Sarvashri Babaji Raghunath Juwatkar and Sitaram Bhikaji Makhale were appointed as Lascars on 3-4-50 and both were confirmed in their said posts on the same date, i.e. on 1-7-1951. The age of both these two workers were recorded as 25 years in the service sheet by the Superintendent, Dry Docks as certified by the Medical Officer of Bombay Port Trust.

According to the Union, the existing Rules do not permit certification of the age of the employees of the Calcutta Port Commissioners by a Medical Officer, other than the Chief Medical Officer of the Commissioners for the Port of Calcutta. The Union thus held that the action of the management in getting the age of these two workmen certified by the Medical Officer of the Bombay Port Trust was highly irregular.

At the time of appointment of the concerned workmen again, no arrangement was made to test their merits and as such their seniority could not be determined on the basis of merit. Sri Kar added that the seniority list of workmen attached to Dry Docks was not prepared by the Superintendent, Dry Docks on the basis of the existing Rules of the Commissioners for the Port of Calcutta in this regard. Though an objection was filed by Sri Makhale to the Superintendent Dry Docks protesting against the said seniority list, no action was taken in this regard.

The Union representative further stated that Sri Sitaram Bhikaji Makhale acted in the higher grade earlier than Sri Babaji Raghunath Juwatkar and hence the former should be treated senior to the latter by virtue of his earlier acting in higher grade.

At the time of appointment the actual age of Sri Makhale was 25 years 5 months on 3-4-50 while that of the other viz., Juwatkar was recorded as 25 years only. The Union, therefore, maintained that by virtue of age and earlier acting in higher grade, Sri Makhale should be declared senior to Juwatkar for purpose of promotion.

In their written statement, the Commissioners for the Port of Calcutta stated as under:—

The two workmen viz., Sri Babaji Raghunath Juwatkar and Sri Sitaram Bhikaji Makhale were recruited in the year 1950 along with others at Bombay. Prior to recruitment, the said workmen were medically examined on 2-4-50 for Physical fitness by the Medical Officer, Bombay Port Trust after they were interviewed and found fit for the post of 2nd Class Lascar by the Commissioners Commodore S.C.H. Hunt at Bombay, at the relevant time it was decided by the Commissioners that they should be considered as having been appointed with effect from 3-4-50, i.e. the day after the date of Medical Examination in Bombay and were paid accordingly after joining the service at Calcutta. While accepting, in general, what has been stated by the Union as regard the recording of the age of both the workmen concerned as 25 years, the management have stated that the Medical Officer of the Bombay Port Trust examined both the workmen on 2-4-50 for physical fitness for the post of 2nd Class Lascar under the Calcutta Port Commissioners and did not discover any defect disqualifying for their service and found them perfectly fit. The same Medical Officer had found both these workmen by appearance 25 years of age which had been duly accepted by the Commissioners as also the workmen. The management further maintained that there was nothing irregular, as contended by the Union, that these two workmen were medically examined by the Medical Officer Bombay Port Trust and not by the Chief Medical Officer of the Commissioners for the Port of Calcutta at the time of their appointment. Not only the two workmen concerned in the dispute but large number of Bombay Crew were recruited in the Calcutta Port at the relevant time and the same procedure for determining the physical fitness and age as adopted in the case of these workmen concerned in the dispute had also been adopted for determining the physical fitness and age of the other crew. The management have pointed out that had the said procedure not been adopted the Commissioners as well as the Crew would have been put to great difficulties. They have also pointed out that at the relevant time, the Commissioners' Recognised Unions had not objected to this procedure nor had they considered the same as irregular and had accepted the same for all purposes in respect of the

Bombay Crew and the same if challenged now at this late stage, would lead to innumerable industrial disputes.

As against the Union's allegation that the seniority list as prepared by the Superintendent, Dry Docks was not in accordance with the existing rules of the Commissioners for the Port of Calcutta, the management have stated that this is not a fact. The Superintendent, Dry Docks, in accordance with the instructions issued under the Secretary's Circular letter No. 7354 dated 2-6-58, prepared the seniority list of the Dry Docks, both Class-III and Class-IV, in accordance with the Commissioners' Rules for determining the seniority of the staff. In cases where date of appointment and date of confirmation and age were the same, the Superintendent, Dry Docks, determined the seniority in accordance with the efficiency of the staff concerned, and made Sri Babaji Raghunath Juwatkar senior to Sri Sitaram Bhikaji Makhale. These seniority lists were exhibited prior to finalising the same, but no objection was filed by Sri Makhale to the Superintendent, Dry Docks, protesting against the said seniority list at the relevant time as alleged.

The management have reached sharply to the contention of the Union that Sri Makhale acted in the higher grade earlier than Sri Juwatkar. According to the management, Sri Juwatkar started acting as Tindal with effect from 16-2-68 whereas, Sri Makhale first acted as Tindal on 24-5-69. No objection or any complaint or any dispute was raised by Sri Makhale at the relevant time in this regard. The periods of acting as Tindal by both the workmen concerned upto 1972, as furnished by the Commissioners for the Port of Calcutta, are as follows:—

Sri Babaji Raghunath Juwatkar.	Sri Sitaram Bikhaji Makhale
16.2.68 to 8.6.68	24.5.69 to 9.6.60
10.1.69 to 27.1.69	15.10.69 to 18.11.69
9.4.69 to 11.6.69	3.4.72 to 6.5.72
8.9.69 to 5.1.70	10.8.72 to 9.9.72
6.1.70 to 24.1.70	
12.3.70 to 31.12.70	
9.1.71 to 9.3.71	
9.3.72 to 6.5.72	
10.5.72 to 14.6.72	
6.7.72 to 4.10.72	

In the light of the foregoing submission of the Commissioners for the Port of Calcutta, the representative of the management maintained that the Union's claim that Sri Makhale should be treated as senior by virtue of his age of 25 years 5 months on 3-4-50 and his acting in higher grade earlier than Sri Juwatkar as alleged by the Union is not entertainable, and there is no cause to disturb the seniority of the workmen concerned as determined by the Commissioners.

I have gone through the written statements of both the parties and have heard their arguments in support of their respective stands in course of hearing of 3-11-72. I have also examined the medical certificates, in original, in respect of these two workmen produced before me by the representatives of the management in course of hearing, and I found that the age of both the workmen was stated as 25 years as on 2-4-50 by the Medical Officer of Bombay Port Trust. I have also examined circular letter No. 3231 dated 28th May, 1950 circulated to all the Commodores of the Commissioners' vessel including the Superintendent, Dry Docks and others, as furnished to me by the Commissioners for the Port of Calcutta, and I find that the same speaks in support of the management contention that at the relevant time it was decided by the Commissioners that the workmen concerned should be considered as having been appointed with effect from 3-4-50, i.e. the day after the date of the medical examination in Bombay. I also note that the Commissioners' recognised unions had not put any objection to this procedure adopted in the matter of appointment of these workmen; they also did not raise any objection so far as the question of medical examination of the workmen by a Medical Officer other than the Chief Medical Officer of the Commissioners for the Port of Calcutta. Further, the workman himself, namely, Sri Makhale, had also accepted his age as 25 years as certified by the Medical Officer, Bombay Port Trust on 2-4-50. Further, the seniority lists as prepared by the Superintendent, Dry Docks, were circulated on 13-8-58 and finalised on 2-12-59. According to the seniority list Sri Juwatkar stands senior to Sri Makhale.

I also observe from the written statement of the Commissioners for the Port of Calcutta that when the seniority lists as prepared by the Superintendent, Dry Docks, were exhibited prior to finalising the same, no objection was filed by Sri Makhale to the Authority protesting against the same at the relevant time. The representative of the Union also could not advance any argument against this contention of the management. I further note that the contention of the Union that Sri Makhale started acting in higher grade earlier than Sri Juwatka is not correct.

In view of the facts of the case as revealed by documentary and oral evidence, I find that the management's decision holding Sri Babaji Raghunath Juwatkar as senior to Sri Sitaram Bhikaji Makhale is perfectly in conformity with the Seniority Rules of the Commissioners and Sri Makhale's claim is not justified.

I pass my award accordingly.

A. N. ROY, Arbitrator & Regional Labour
Dated 25-11-72 Commissioner (Central), Calcutta.

New Delhi, the 8th December, 1972

S.O. 5271.—In exercise of the powers conferred by sub-section (2) of section 5 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), read with sub-rule (2) of rule 3 of the Dock Workers (Advisory Committee) Rules, 1962, the Central Government hereby appoints Shri R. N. Rao as a member of the Dock Workers Advisory Committee *vide* Shri Vishandas S. Vazirani and makes the following amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 56 dated the 23rd December, 1968, namely:—

In the said notification, under the heading "Members representing the employees of dock workers and shipping companies", in item (7) for the words "Vishandas S. Vazirani," the letters and word "R. N. Rao" shall be substituted.

[No. U. 20012/1/72-P&D]

V. SANKRALINGAM, Under Secy.

नई दिल्ली, 8 दिसम्बर, 1972

का. आ. 5271.—डाक कर्मकार (सलाहकार समिति) नियम 1962 के नियम 3 के उपनियम (2) के साथ पठित डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, श्री आर. एन. राव को, श्री विशनदास एस. वजीरानी के स्थान पर डाक कर्मकार सलाहकार समिति के सदस्य के रूप में पदसूचका निरूपित करती है और भारत सरकार के श्रम, रोजगार और कुर्बास (श्रम और रोजगार विभाग) की अधिसूचना सं. का. आ. 56 तारीख 23 नवम्बर, 1968 में निम्नीलिखित संशोधन करती है, अर्थात्:—

उक्त अधिसूचना में, "डाक कर्मकार के नियोजकों और नौ-वहन कम्पनियों का प्रतिनिधित्व करने वाले सदस्यों" शीर्षक के अन्तर्गत, मद (7) में, "विशनदास एस. वजीरानी", शब्दों के स्थान पर "आर. एन. राव" शब्द रखे जाएंगे।

[सं. यू. 20012/1/72-पी. एंड डी.]

वी. शंकरालिंगम, अवर सचिव।

New Delhi, the 8th December, 1972

S.O. 5272.—The following draft of certain Scheme for the Dock Workers of the port of Bombay, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the informa-

tion of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration after the expiry of two months from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the expiry of the period so specified will be taken into consideration by the Central Government.

DRAFT SCHEME

1. Name of the Scheme :

The Scheme may be called the Bombay Unregistered Dock Clearing and Forwarding Workers (Regulation of Employment) Scheme, 1972.

2. Objects and application :

(1) The objects of the Scheme are to ensure greater regularity of employment for dock workers and to secure that an adequate number of dock workers is available for the efficient performance of dock work.

(2) The Scheme relates to the Port of Bombay and applies to all workers engaged in loading, unloading, transport of import and export goods for clearance in the Bombay Docks, but shall not apply to—

- (a) workers engaged in loading and unloading operations of—
 - (i) cotton bales and copra bags;
 - (ii) dry fruits and dates and seasonal cargoes;
 - (iii) cargoes landed and cleared from Bunders;
 - (iv) hides and skins;
- (b) hand cart operators.

(3) The Scheme shall apply to listed dock workers and listed employers.

(4) Nothing in this Scheme shall apply to any class or description of dock work and dock workers in the Indian Naval Dockyard, Bombay.

3. Interpretation :

In this Scheme, unless there is anything repugnant in the subject or context,

- (a) "Act" means the Dock Workers (Regulation of Employment) Act, 1948 (IX of 1948);
- (b) "Administrative Body" means the Administrative Body appointed under clause 4;
- (c) "Board" means the Bombay Dock Labour Board constituted under the Act;
- (d) "Chairman" means the Chairman of the Board;
- (e) "daily worker" means a listed dock worker who is not a monthly worker;
- (f) "Deputy Chairman" means the Deputy Chairman of the Board;
- (g) "dock employer" means the person by whom a dock worker is employed or is to be employed and includes a group of dock employers formed under clause 13(3);
- (h) "dock work" means operations at places or premises to which the Scheme relates, ordinarily performed by dock workers of the classes or descriptions to which the Scheme applies;
- (i) "employers register" means the register of dock employers maintained under the Scheme;
- (j) "Labour Officer" means the Labour Officer appointed by the Administrative Body under clause 11;
- (k) "Listed Dock Worker" means a dock worker whose name is for the time being entered in the register or record;

- (l) "Listed employer" means a dock employer whose name is for the time being entered in the employers' register;
- (m) "monthly worker" means a listed dock worker who is engaged by a listed employer or a group of such employers on monthly basis under a contract which requires for its termination at least one month's notice on either side;
- (n) "Personnel Officer" means the Personnel Officer appointed by the Board under clause 5;
- (o) "reserve pool" means a pool of listed dock workers who are available for work, and who are not for the time being in the employment of a listed employer or a group of dock employers as monthly workers;
- (p) "week" means the period commencing from midnight of Saturday and ending on the midnight of the next succeeding Saturday.

4. Administrative Body :

(1) The Central Government may, by notification in the Official Gazette, appoint a body consisting of such employers of dock workers as the Central Government may nominate in this behalf or any other authority to be the Administrative Body for the purpose of carrying on the day-to-day administration of this Scheme.

(2) The Administrative Body shall, subject to the supervision and control of the Board and the Chairman and subject to the provisions of clause 33, carry on the day-to-day administration of this Scheme.

(3) The Central Government may, for sufficient cause, remove any administrative Body appointed under sub-clause (1) :

Provided that the Administrative Body shall not be removed unless it has been given a reasonable opportunity of being heard.

5. Personnel Officer and Other servants of the Board :

The Board may appoint a Personnel Officer and such other officers and servants and pay them such salaries and allowances and prescribe such terms and conditions of service as it deems fit :

Provided that no post the maximum salary of which exclusive of allowance is rupees one thousand and above per mensem shall be created, and no appointment to such post shall be made by the Board except with the previous approval of the Central Government :

Provided further that the sanction of the Central Government shall not be necessary to any appointment in a leave vacancy of a duration of not more than three months.

6. Functions of the Board :

The Board may take such measures as it may consider desirable for furthering the objectives of the scheme set out in clause 2, and more particularly described in clause 7 of the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, and shall also be responsible for—

- (a) appointing, abolishing or reconstituting committees under clause 27;
- (b) determining and keeping under review the number of listed employers and listed dock workers from time to time on the lists and the increase or reduction to be made in the number in any such list;
- (c) keeping and maintaining a list of dock employers entering or re-entering therein the name of any dock employer and where circumstances so require, removing from the list, the name of any dock employer, either at his own request or in accordance with the provisions of this Scheme;
- (d) keeping and maintaining from time to time a list of dock workers and removing from the list the name of a dock worker either at his own request

or in accordance with the provisions of this Scheme;

- (e) issuing photo-identity cards for listed dock workers;
- (f) providing medical facilities for listed dock workers;
- (g) recovering from listed employers, such administrative charges as it may determine;
- (h) making recommendations to the Central Government about such changes in this Scheme as the Board may consider desirable from time to time;
- (i) determining wages in relation to the actual output of work pertaining to the categories of listed workers in different stages and also their allowances and other conditions of service.

7. Responsibilities and duties of the Board in meeting :

The Board in meeting shall be responsible for dealing with all matters of policy as laid down in clause 8 of the Bombay Dock Workers (Regulation of Employment) Scheme, 1956.

8. Responsibilities and duties of the Chairman :

The Chairman shall have full administrative and executive powers to deal with all matters relating to the day-to-day administration of the Scheme as laid down in clause 9 of the Bombay Dock Workers' (Regulation of Employment) Scheme, 1956.

9. Responsibilities and duties of the Deputy Chairman :

The Deputy Chairman shall discharge functions as laid down in clause 10 of the Bombay Dock Workers (Regulation of Employment) Scheme, 1956.

10. Functions of the Administrative Body :

Without prejudice to the powers and functions of the Board and of the Chairman and the Deputy Chairman, the Administrative Body shall be responsible for the administration of the Scheme and shall in particular be responsible for—

- (a) keeping adjusting and maintaining the list of employers, entering or re-entering therein the name of any employer and, where circumstances so require, removing from the list the name of any listed employer, either at his own request or in accordance with the provisions of the Scheme;
- (b) keeping, adjusting and maintaining from time to time such list or records as may be necessary of workers, including any list or record of workers who are temporarily not available for work and whose absence has been approved by the Administrative Body and where circumstances so require removing from any list or record the name of any listed worker either at his own request or in accordance with the provisions of the Scheme;
- (c) the employment and control of listed workers available for work when they are not otherwise employed in accordance with the Scheme;
- (d) the grouping or re-grouping of listed workers in accordance with the instructions received from the Board in such group as may be determined by the Board;
- (e) the allocation of listed workers of the Pool who are available for work to listed employers and for this purpose the Administrative Body shall—
 - (i) be deemed to act as an agent for the employer;
 - (ii) make the fullest possible use of listed workers of the pool;
 - (iii) keep the record of attendance, at call stands or control points of listed workers;
 - (iv) provide for the maintenance of records of employment and earnings;
 - (v) subject to clause 21(3), allot work in rotation;
 - (vi) make necessary entries in the Attendance Card and Wage slip of workers;

- (f) (i) the collection of levy, contribution to the workers' Welfare Fund or any other contribution from the employers as may be prescribed under the Scheme;
- (ii) the collection of workers' contribution to the Provident Fund, Insurance Fund or any other fund which may be constituted under the Scheme;
- (iii) the payment as agent of the listed employer to each daily worker of all earnings properly due to the worker from the employer and the payment to such workers of all monies payable by the Board to those workers in accordance with the provisions of the Scheme;
- (iv) the payment of compensation to workers arising out of accidents, under the Workmen's Compensation Act, and for that purpose, if necessary, to insure the workers under such suitable Insurance cover, as the Administrative Body deems fit;
- (g) appointing such officers and servants from time to time as may be necessary;
- (h) the keeping of proper accounts of the cost of operating the Scheme and of all receipts and expenses under it, and making and submitting to the Board an annual report and audited balance-sheet;
- (i) the framing of the budget annually, submitting the same to the Board on or before the fifteenth day of February in each year and getting it approved by the Board;
- (j) maintaining complete service records of all listed workers; and
- (k) such other functions as may, from time to time subject to the provisions of the Scheme, be assigned to it by the Board, the Chairman or the Deputy Chairman.

11. Labour Officer :

The Administrative Body when it consists of employers of dock workers shall appoint a Labour Officer or Labour Officers with the approval of the Board. The Labour Officer shall, under the supervision and control of the Administrative Body, carry out such functions as may be assigned to him by that Body consistent with the provisions of the Scheme.

12. Functions of the Personnel Officer :

The Personnel Officer shall assist the Deputy Chairman generally in the discharge of his duties and shall in particular carry out the functions vested in him under clause 33 of the Scheme.

13. Listing of employers :

- (1) The Board shall maintain a list of dock employers to whom this Scheme applies.
- (2) Every person, who on the date of commencement of this Scheme, is a dock employer to whom this Scheme applies, and who applies to the Board in this behalf on or before such date as may be fixed by the Board for this purpose shall be entitled to be listed under this Scheme, subject to his being licensed by the custom authorities in this behalf.
- (3) The Board may, subject to such conditions as it may with the previous approval of the Central Government prescribed in this behalf, permit persons listed under item (2), to form one or more groups, and each group so formed shall be treated as one employer only for employment of monthly workers.
- (4) The Board, may, if it considers expedient and necessary to do so, list employers other than these covered by sub-clause (2).
- (5) Where the Board refuses to list an employer, it shall communicate to the person concerned a copy of the order together with the reasons therefor.

14. Listing of dock workers :

(1) Any dock worker, who has been in the employment of an employer to whom this Scheme applies and has worked under him for such number of days or shifts during such period as may be prescribed by the Board, shall, subject to the following conditions, be eligible for being listed, namely :—

- (i) The number of workers of each class to be selected for listing shall not exceed the number which the Board may determine from time to time. Selection for listing shall be made, as far as possible, on the basis of seniority as determined by the length of service rendered by a worker or on such other basis as the Board may determine, provided that such worker shall be medically fit and shall not be more than 58 years of age;
- (ii) Only Indian citizens shall be eligible for being listed :

Provided that dock workers who are not Indian citizens but are otherwise eligible may be listed provisionally in a separate list on such terms and conditions as the Board may, in consultation with the Central Government, prescribe from time to time :

Provided further that a dock worker who is temporarily medically unfit may be listed provisionally subject to the condition that—

- (i) the ailment leading to temporary unfitness is declared as being curable within a reasonable period;
- (ii) the period of provisional listing shall not exceed six months unless an extension is granted by the Board; and
- (iii) if after the period or extended period of provisional listing the worker is still found unfit, his listing shall not be renewed.

(2) Workers shall be listed in accordance with the following procedure, namely :—

- (i) Each eligible dock worker shall apply to the Board through his employer on or before such date as may be fixed by the Board. The application shall be submitted in duplicate in the form prescribed by the Board and shall be accompanied by three copies of passport size photograph of the worker concerned the cost of which shall be borne by him.
- (ii) A listed employer shall not refuse to forward the application of a worker who has been in his employment and has worked under him for such number of days or shifts during such period as may be prescribed by the Board under sub-clause (1) :

Provided that if any question arises whether or not a worker has been in the employment of his employer and has worked under him for such number of days or shifts as may be prescribed by the Board, it shall be referred to such officer, authority or committee as the Board may specify and the decision of such officer, authority or committee as the case may be, shall be final.

- (iii) The period for which a worker of a class specified in the Schedule has served on work relating to that class under a particular employer shall, as far as possible, be recorded on the basis of payments of wages made to the worker previously, either directly by the employer or through any of the employer's agents.
- (iv) While forwarding an application of a dock worker, the employer shall if he does not recommend the application state the reasons for which he does not recommend the application.
- (v) Every worker shall pay to the Board a 'listing fee' of twenty-five paise on his name being listed.
- (vi) If the application is in order, the Board shall enter the name of the worker in the list of workers and retain one copy each of the application and the photograph for record and return the other copy

of the application with a photograph affixed on it together with a photo-identity card to the listed employer through whom the application has been received. The employer shall hand over the photo-identity card to the worker concerned.

(3) Such of those workers who have been listed by the Board or whose names have been approved by the Board for listing, prior to the appointment of the Administrative Body under the provisions of this Scheme, shall be enrolled by the Administrative Body.

(4) Notwithstanding any other provision of this Scheme, where the Board is of opinion that a dock worker has secured his listing by furnishing false information in his application or by withholding any information required therein, or where it appears that a worker has been listed improperly or incorrectly the Board in meeting may direct the removal of his name from the list :

Provided that before giving any such direction, the Board shall give such dock worker an opportunity of showing cause why the proposed direction should not be issued.

(5) A copy of every order refusing to list a worker shall be communicated to him.

(6) The qualification for listing of new workers shall be such as may be prescribed by the Board having regard to the local conditions but the age of such workers shall not be more than 25 years, and such workers shall have physical fitness, capacity and experience. Listing of new workers shall be done from among the workers who have been or were working in the port on any such date as the Board may prescribe in this behalf and selection for listing shall be made as far as possible on the basis of seniority.

15. Workers' Registers :

(a) The workers' registers shall be maintained in the forms prescribed by the Board for this purpose.

(b) The registers of clearing and forwarding workers shall be as under, namely:—

(i) **Monthly Register** :—Register of workers who are engaged by each clearing and forwarding employer on contract on monthly basis and who are known as monthly workers.

(ii) **Reserve Pool Register** :—Register of workers other than those on the monthly register and known as Reserve Pool workers. This register shall include a sub-pool of Mazdoors to fill casual vacancies. The workers included in such a sub-pool shall be known as leave reserve workers.

16. Classification of workers in lists :

(1) The Board shall arrange for the classification of workers by categories in the registers.

(2) Dock Workers listed under the Scheme shall be classified into :—

(a) Muccadams.

(b) Clearing and forwarding Mazdoors.

(3) The Board shall also arrange for the classification of workers in the Reserve Pool Register into two categories as category 'A' and category 'B'.

17. Fixation of number of workers on the register :

(1) The Board shall in consultation with the Administrative Body and with the previous approval of the Central Government determine, before the commencement of listing in any category, the number of workers required in that category.

(2) A listed employer or a group of employers may subject to such conditions as may be prescribed by the Board in this behalf, increase the number of workers on his/its monthly registers by selecting workers from the reserve pool.

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18. Promotion and Transfer of workers :

(1) A vacancy, other than a casual vacancy, in any category of workers in a reserve pool register shall ordinarily be filled by promotion of a worker from the next lower category.

(2) A vacancy other than a casual vacancy, in any category of monthly workers may be filled only by promotion from lower categories of monthly workers of the same employer or group of employers or, if no person is suitable for promotion from lower categories of monthly workers of the same employer or group of employers, by transfer of a worker in the same or superior category from the reserve pool who may be selected by a listed employer or a group of employers.

Explanation.—The criteria for promotion shall ordinarily be :—

(a) Seniority,

(b) Merit and fitness for work in the category to which promotion is to be made, and

(c) Record of past service.

Note.—A transfer from the reserve pool register to the monthly register in the same category or vice versa shall not be deemed a promotion.

(3) The Chairman or the Deputy Chairman may for sufficient and valid reasons allow the transfer of a monthly worker to the reserve pool on a request in writing of the employer or the worker explaining fully the reasons for the transfer provided that such transfer shall be subject to the fulfilment of any contract subsisting between the monthly worker and his employer regarding termination of employment. No transfer shall take place without the prior approval of the Chairman or the Deputy Chairman.

(4) If the services of a monthly worker are terminated by an employer for an act of indiscipline or misconduct, he may apply to the Board for employment in the reserve pool. The Deputy Chairman on behalf of the Board shall then decide on the merits of the case whether or not the worker should be employed and if so, whether in the same or a lower category.

(5) If a monthly worker is transferred to or employed in the reserve pool under sub-clause (3) or sub-clause (4), as the case may be, his previous service shall be reckoned for all benefits in the reserve pool and the employer shall transfer to the Board all benefits that have accrued to the worker in respect of his previous service as if such service had not been transferred. The employers shall in particular contribute to the Board such amount as may be appropriate towards the workers leave, Provident Fund or gratuity that may be due to him on the date of such transfer.

19. Medical Examination :

(1) A new worker before listing shall undergo, free of charge, a medical examination for physical fitness by a Medical Officer, nominated by the Chairman for this purpose. A worker found medically unfit by a Medical Officer may apply in writing to the Chairman and simultaneously deposit with him such fees as may be prescribed in this behalf, for examination by a Medical Board. On receipt of such a request, the Chairman shall set up a Medical Board. The decision of the Medical Board shall be final and a worker is medically unfit shall not be entitled to listing.

(2) If the Administrative Body deems it necessary, a worker shall undergo free of charge a medical examination by a Medical Board to be constituted by the Chairman. The decision of the Medical Board shall be final. If a worker is found permanently unfit by the Medical Board the Chairman shall terminate his services forthwith.

20. Employment of workers :

(1) A monthly worker of a particular category attached to a listed employer or a group of employers shall be entitled to be employed for work in that category by that employer or group of employers, in preference to any worker of the same category in the reserve pool.

(2) If the number of workers on the monthly register in a particular category is not sufficient for the work available, the workers in category 'A' on the reserve pool register in that category shall be employed.

(3) If the number of workers on a monthly register and in category 'A' on the reserve pool register in a particular category is not available, the workers in category 'B' on the reserve pool register in that category shall be employed.

(4) A monthly worker of one employer or a group of employers shall not be employed by another employer or group of employers except with the previous approval of the Chairman or the Deputy Chairman.

21. Employment in shifts :

(1) Workers shall be employed in shifts.

(2)(a) A worker shall not ordinarily be employed in two consecutive shifts nor shall a worker be employed in two consecutive shifts on each of two successive days. In no case shall a worker be employed in three consecutive shifts.

(b) A worker in the reserve pool shall not be employed for more than 9 shifts in a week or 33 shifts in a month.

(c) Normally a monthly worker shall not be employed for more than 6 shifts in a week or 27 shifts in a month, but when a worker in the reserve pool who has not reached the maximum limit of employment specified in item (b) is not available, a monthly worker may be employed upto 9 shifts in a week or 33 shifts in a month.

(d) In special circumstances, the Chairman may relax temporarily the restrictions under items (b) and (c) to the extent necessary.

(e) Workers working more than one shift in a day will be entitled to the normal rate of wages for work in each shift.

(3) Workers of each category on the reserve pool register shall be allotted work by rotation.

(4) Where work is carried on by a gang, the allotment of workers by rotation shall be by gangs.

22. Guaranteed Minimum Wages in a month :

(1) A worker in category A in the reserve pool register shall be paid wages at least for twelve days in a month at the Wage rate inclusive of dearness allowance as prescribed by the Board appropriate to the category to which he permanently belongs, even though no work is found for him for the minimum number of twelve days in a month. The days on which work is allotted to the worker shall be counted towards the twelve days mentioned above. The guaranteed minimum wages in a month shall be—

(a) for the number of days for which wages are guaranteed in a month subject to the condition that the worker attended for work on all days of the month as directed by the Administrative Body; or

(b) proportionate to the number of days on which the worker attended for work provided he was excused from attendance on all the remaining days of the month.

(2) Subject to the provisions of sub-clause (1), the minimum number of days in a month for which wages are guaranteed may be fixed by the Board for each year on the basis of the monthly average employment obtained by the workers in the reserve pool in the lowest categories of clearing and forwarding workers during the preceding year until the minimum number of days reaches 21, provided the number so fixed shall not, in any case, be less than the number in the preceding year.

NOTE :—The method of assessing the average employment is detailed in Schedule I.

(3) The minimum number of days for which wages shall be guaranteed under sub-clauses (1) and (2) shall not auto-

matically apply to worker in new categories that may be listed after the date of enforcement of the Scheme. The minimum number of days for which wages shall be guaranteed to these categories shall be determined by the Board. The annual relaxation of the minimum number of days as under sub-clause (2) shall be done independently in their case also.

Explanation I.—In sub-clauses (1), (2), and (3) of the clause a 'day' means a shift.

Explanation II.—For the purpose of this clause, the expression 'month' shall not include the days of weekly off.

23. Attendance Allowance :

Subject to the other provisions of the Scheme, a worker in category 'A' on the reserve pool register who is available for work but for whom no work is found shall be paid attendance allowance exclusive of dearness allowance at the rate of rupees one per day for the days on which during a calendar month he attended for work as directed by the Administrative Body and no work was found for him:

Provided that the Board may allow payment of attendance allowance exclusive of dearness allowance at such higher rate not exceeding rupees two as it may deem necessary.

Provided further that no attendance allowance shall be payable for any day for which full wages, inclusive of dearness allowance have been paid under clause 22 or otherwise or for which disappointment money is paid under clause 25.

24. Employment for a shift :

No worker in the reserve pool register shall be employed for a period of less than a shift and where the work for which a worker has been engaged is completed during the working period of the shift he shall undertake such other work in or at the same or another vessel or both as may be required by the same employer for the remainder of the period and if no such other work is made available to him, he shall be paid for the entire shift:

Provided that if he is subject to piece rate wages under the Award he shall be paid at the rates laid down in the Award.

25. Disappointment Money :

When a worker in category 'A' the reserve pool presents himself for work and for any reason the work for which he has attended cannot commence or proceed and no alternative work can be found for him and he is relieved within 2 hours of his attending for work, he shall be entitled to disappointment money equal to half the wage rate inclusive of dearness allowance appropriate to the category to which he belongs. A worker detained for more than 2 hours shall be paid full wages inclusive of dearness allowance:

Provided that in the case of a worker who is subject to the piece rate system of wages under the Award, the payment, if any, due to him under this clause, shall be reduced by the amount of the idle time payment made, if any, under the Award in respect of the same period.

Explanation.—The 'wage rate, inclusive of dearness allowance or 'full wages inclusive of dearness allowance' in respect of workers subject to piece rates under the award shall be the same as the "daily wage rate" thereunder.

26. Holidays :

Each worker shall be entitled in a year to 6 holidays with pay at such rates as may be prescribed by the Board under clause 33. Any payment made under this clause shall be exclusive of the payment calculated under clause 22.

27. Committees :

The Board may appoint one or more committees to whom it may entrust such of its administrative functions as it may deem necessary to facilitate compliance with the provisions of the Scheme and may abolish or reconstitute them as it may deem necessary. Persons who are not members of the Board may, if necessary, be nominated as co-operated

members of a committee, such co-opted members, however, shall not have any right to vote.

28. Obligations of listed dock workers :

(1) Each listed dock worker shall be deemed to have accepted the obligations of this Scheme.

(2) A listed dock worker shall not offer himself for employment with any other employer on any day on which he is offered employment by his employer.

(3) A listed dock worker who is available for work shall not engage himself for employment under a listed employer unless he is allocated to that employer by the Administrative Body.

(4) A listed dock worker in the pool who is available for work shall carry out the directions of the Administrative Body and shall—

(a) report at such call stands or control points on such days and at such times as may be specified by the Administrative Body;

(b) accept any employment in connection with dock work whether in the category or pool in which he has been listed or in any other category or pool for which he is considered suitable by the Administrative Body.

(5) A listed dock worker who is available for work when allocated by the Administrative Body for employment under a listed employer shall carry out his duties in accordance with the directions of such listed employer or his authorised representative or supervisor and the rules of the port or place where he is working.

29. Obligations of listed employers :

(1) Every listed employer shall be bound by the provisions of this Scheme.

(2) Every listed employer shall pay to the Board such administrative charges as may be fixed by the Board from time to time.

(3) Subject to the provisions of clause 20(1), a listed employer shall not employ a worker other than a dock worker who has been allocated to him by the Administrative Body in accordance with the provisions of clause 10(e).

(4) A listed employer shall in accordance with the arrangements made by the Administrative Body submit all available information of his current and future labour requirements.

(5) A listed employer shall pay to the Administrative Body in such manner and at such times as the Chairman may direct the administrative charges payable under sub-clause (2) and gross wages due to the dock workers.

(6) A listed employer shall keep such records as the Board may require, and shall produce to the Board or to such persons as may be designated by the Chairman upon reasonable notice all such records and any other documents of any kind relating to listed dock workers and to the work upon which they have been employed and furnish such information relating thereto as may be set out in any notice or direction issued by or on behalf of the Board.

(7) A listed employer shall not pay a listed dock worker anything in cash or in excess of the wages normally and actually due to the worker.

30. Suspension of supply of listed workers :

If a listed employer fails to make the payment due from him under clauses 29 and 39 or any other amount due and payable to the Board in any other capacity or account within such time as may be prescribed by the Administrative Body, the Administrative Body shall serve a notice on the employer to the effect that, unless he pays his dues within three days from the date of receipt of the notice, the supply of listed dock workers to him shall be suspended. On the expiry of the notice period, the Administrative Body shall suspend the supply of

listed dock workers to the defaulting employer until he pays his dues.

31. Restriction on Employment :

(1) Subject to the provisions of the Scheme, no person other than a listed employer shall employ any worker on dock work nor shall a listed employer engage for employment or employ a worker on dock work unless that worker is a listed dock worker.

(2) Notwithstanding the foregoing provisions of this clause—

(a) where the Administrative Body is satisfied that—

(i) dock work is emergently required to be done; and

(ii) it is not reasonably practicable to obtain a listed dock worker for that work;

the Administrative Body may, subject to any limitations imposed by the Board, allocate a listed employer a person who is not a listed dock worker. In selecting such workers the local Employment Exchange organisation shall, as far as possible, be consulted:

Provided that, whenever unlisted workers have to be employed, the Administrative Body shall obtain, if possible, the prior approval of the Chairman to the employment of such workers, and where this is not possible, shall report to the Chairman within 24 hours the full circumstances under which such workers were employed and the Chairman shall duly inform the Board of such employment at its next meeting;

(b) the Board may, subject to such conditions as it may specify, permit employment of unlisted workers on a holiday, if dock work is required to be done on that day, to the extent listed dock workers are not available for work,

(c) in the cases referred to in items (a) and (b), the person so employed shall be treated in respect of that dock work as if he were a daily dock worker.

32. Penalties :

A contravention of clause 31 shall be punishable with fine not exceeding rupees two hundred in respect of a first contravention or rupees five hundred in respect of any subsequent contravention.

33. Wages, Allowances and other conditions of service of — workers :

(1) Without prejudice to the provisions of the Award it shall be, unless otherwise specifically provided for in the Scheme, an implied condition of the contract between a listed dock worker (whether in the reserve pool or on the monthly register) and listed employer that—

(a) the rates of wages, allowances and overtime, hours of work, rest intervals, holidays and pay in respect thereof and other conditions of service shall be such as may be prescribed by the Board for each category of workers; and

(b) the fixation of wage period, time for payment of wages and deductions from wages shall be in accordance with the provisions of the Payment of Wages Act, 1936.

(2) The Deputy Chairman shall then cause such further investigation to be made as he may deem fit and take any of the following steps as regards that employer, that is to say, he may—

(a) censure the employer and record the censure in his record sheet; or

(b) subject to the approval of the Board and after one month's notice in writing to the employer, direct that the name of the employer shall be removed from the list of employers for such period as may be determined by the Board or permanently if the Board so determines.

(3) (i) A listed dock worker in the reserve pool who fails to comply with any of the provisions of this Scheme, or commits any act of indiscipline or misconduct, may be reported against in writing to the Labour Officer.

(ii) The Labour Officer after investigating the matter may give him a warning in writing or suspend him for a period not exceeding ten days.

(4) Where, in a case reported to him under sub-clause (3), the Labour Officer is of opinion that the act of indiscipline or misconduct is so serious that the worker should not be allowed to work any longer, the Labour Officer may, pending investigation of the matter, suspend the worker for a period not exceeding ten days and report immediately to the Deputy Chairman, who after preliminary investigation of the matter shall pass orders thereon whether the worker should, pending final orders, remain suspended or not provided that the total period of such suspension shall not exceed a period of three months.

(5) Where the Deputy Chairman comes to the decision that the order of suspension of the worker pending investigation into the charge of indiscipline or misconduct, as the case may be, ought not have been made, the worker shall be entitled to such payments from the Administrative Body as may be decided by the Deputy Chairman.

(6) Where in the opinion of the Labour Officer higher punishment than that provided in sub-clause (4) is merited, he shall report the case to the Deputy Chairman.

(7) On receipt of the written report from the Labour Officer under sub-clause (6) or from the Administrative Body that a listed dock worker in the pool has failed to comply with any of the provisions of this Scheme or has committed an act of indiscipline or misconduct or has consistently failed to produce the standard output or has violated the provisions of the Scheme more than once or has been inefficient in any other manner, the Deputy Chairman may make or cause to be made such further investigation as he may deem fit and thereafter take any of the following steps as regards the worker concerned that is to say, he may impose any of the following penalties:—

- (a) give him a warning in writing;
- (b) suspend him for a period not exceeding 3 months;
- (c) terminate his services after giving 14 days' notice;
- or
- (d) dismiss him.

(8) Before any action is taken under this clause, the person concerned shall be given an opportunity to show cause why the proposed action should not be taken against him. A copy of the final order shall be communicated to the persons concerned.

(9) The Administrative Body shall be informed simultaneously about the action taken under this clause.

34. Disciplinary Procedure :

(1) The Personnel Officer on receipt of information, whether on complaint or otherwise, that a listed employer has failed to carry out the provisions of this Scheme may after investigating the matter—

- (i) give him a warning in writing, or
- (ii) if in his opinion, a higher penalty is merited, report the case to the Deputy Chairman.

(2) The Deputy Chairman shall then cause such further investigation to be made as he may deem fit and take any of the following steps as regards that employer, that is to say, he may—

- (a) censure the employer and record the censure in his record sheets; or
- (b) subject to the approval of the Board and after one month's notice in writing to the employer, direct that the name of the employer shall be removed from the list of employers for such period as may

be determined by the Board or permanently, if the Board so determines.

(3) (i) A listed dock worker in the reserve pool who fails to comply with any of the provisions of this Scheme, or commits any act of indiscipline or misconduct, may be reported against in writing to the Labour Officer.

(ii) The Labour Officer after investigating the matter may give him a warning in writing or suspend him for a period not exceeding ten days.

(4) Where, in a case reported to the Labour Officer under sub-clause (3), the Labour Officer is of opinion that the act of indiscipline or misconduct is so serious that the worker should not be allowed to work any longer, the Labour Officer may, pending investigation of the matter, suspend the worker for a period not exceeding ten days and report immediately to the Deputy Chairman, who, after preliminary investigation of the matter, shall pass orders thereon whether the worker should, pending final orders, remain suspended or not; provided that the total period of such suspension shall not exceed a period of three months.

(5) Where the Deputy Chairman comes to the decision that the order of suspension of the worker pending investigation into the charge of indiscipline or misconduct, as the case may be, ought not to have been made, the worker shall be entitled to such payments from the Administrative Body as may be decided by the Deputy Chairman.

(6) Where, in the opinion of the Labour Officer, higher punishment than that provided in sub-clause (3) is merited, he shall report the case to the Deputy Chairman.

(7) On receipt of the report from the Labour Officer under sub-clause (6) or from the Administrative Body that a listed dock worker in the reserve pool has failed to comply with any of the provisions of this Scheme or has committed an act of indiscipline or misconduct or has consistently failed to produce the standard output or has violated the provisions of the Scheme more than once or has been inefficient in any other manner, the Deputy Chairman may make or cause to be made such further investigation as he may deem fit and thereafter take any of the following steps as regards the worker concerned, that is to say, he may impose any of the following penalties:

- (a) give him a warning in writing;
- (b) suspend him for a period not exceeding 3 months;
- (c) terminate his services after giving 14 days' notice;
- or
- (d) dismiss him.

(8) Before any action is taken under this clause, the person concerned shall be given an opportunity to show cause why the proposed action should not be taken against him. A copy of the final order shall also be communicated to the person concerned.

(9) The Administrative Body shall be informed simultaneously about the action taken under this clause.

35. Special disciplinary powers of the Chairman of the Board :

(1) Notwithstanding anything contained in the Scheme, if the Chairman is satisfied that a 'go-slow' has been resorted to by any gang of listed dock workers or by any such individual worker and is being continued or repeated by the same gang or worker or different gangs or workers on the same or different ships, he may make a declaration in writing to that effect.

(2) When a declaration under sub-clause (1) has been made, it shall be lawful for the Chairman—

- (i) in the case of monthly workers, to take, without prejudice to the rights of the listed employers, such disciplinary action including dismissal against such workers, as he may consider appropriate and

- (ii) in the case of listed dock workers in the reserve pool to take such disciplinary action including dismissal against such workers as he may consider appropriate and also to order forfeiture of their guaranteed minimum wages and attendance allowance for the wage period or periods in which the 'go-slow' has been resorted to.

(3) The Chairman may take disciplinary action—

- (i) where the 'go-slow' is resorted to by a gang, against all the members of the gang; and
(ii) where the 'go-slow' is resorted to by a worker, against the worker concerned.

(4) Before any disciplinary action is taken under this clause against any worker or any gang of workers, such worker or gang shall be given an opportunity to show cause why the proposed action should not be taken against him or it:

Provided that the Chairman may, before giving an opportunity to show cause under this sub-clause suspend from work any worker or gang of workers immediately after a declaration has been made under sub-clause (1).

- (5) (a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 23 or one-fourth of his daily wage including dearness allowance, whichever is greater; provided that for the period of suspension in excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;
(b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;
(c) where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 23 had he not been suspended; provided that the amounts so payable shall be reduced by the amount of subsistence allowance already paid during that period.

(6) Any listed dock worker who is aggrieved by an order of the Chairman under sub-clause (2) may, within 30 days of the date of receipt of the order, prefer an appeal to the Central Government.

36. Appeals by workers :

(1) Save as otherwise provided in this clause, a worker in the reserve pool who is aggrieved by an order passed by an authority specified in column (1) of the table below under the provisions specified in column (2) of the said table may prefer an appeal against such order to the authority specified in column (3) of the said table.

TABLE

Authority passing order	Order made under	Appellate Authority
Labour Officer or Administrative Body	Clause 33	Deputy Chairman
Deputy Chairman	Clause 33	Chairman
Chairman	Clause 33	Central Government

(2) A worker who is aggrieved by an order—

- (i) placing him in a particular group in the register or record; or
(ii) refusing listing under clause 14; or

- (iii) requiring him under clause 28 to undertake any work which is not of the same category to which he belongs; may prefer an appeal to the Chairman.

(3) Any dock worker who is aggrieved by an order under clause 18(4) may prefer an appeal to the Chairman.

(4) No appeal shall lie where due notice has been given of the removal of the name of a listed dock worker from the register or record in accordance with the instructions of the Board, if the ground of removal is that the listed dock worker falls within a class or description of dock workers whose names are to be removed from the register or record in order to reduce the size thereof: Provided that an appeal shall lie to the Chairman where the listed dock worker alleges that he does not belong to the class or description of dock workers referred to in the instructions of the Board.

(5) Every appeal referred to in sub-clause (1), (2), (3) or (4) shall be in writing and preferred within 14 days of the date of receipt of the order appealed against.

(6) The appellate authority may, after giving an opportunity to the appellant to be heard, if he so desires, and for reasons to be recorded in writing, pass such order as it thinks fit, and the order so passed shall be final and conclusive.

(7) Every order passed under sub-clause (6) shall be communicated to the appellant:

Provided that the appellate authority may, for reasons to be recorded, admit an appeal preferred after the expiry of 14 days.

(8) An appellant shall not be entitled to be represented by a legal practitioner before the appellate authority but he shall be entitled to be represented by a representative of the registered trade union of which he is a member or by a listed dock worker.

37. Appeals by employers :

(1) (a) A listed employer who is aggrieved by an order of the Personnel Officer under clause 34(1)(i) may appeal to the Deputy Chairman whose order shall be final and conclusive and there shall be no appeal against it.

(b) If a listed employer is aggrieved by an original order of the Deputy Chairman under clause 34(2), he may appeal to the Chairman. The order of the Chairman in respect of an appeal against an order under clause 34(2)(a) shall be final and conclusive and there shall be no appeal against it. In the case of an appeal against an order under clause 34(2)(b), the Chairman shall forthwith refer the matter to the Central Government. The Central Government shall make such order on the appeal as it thinks fit.

(2) A listed employer who has been refused registration under clause 13 may appeal to the Central Government through the Chairman. The order of the Central Government shall be final and conclusive and there shall be no appeal against it.

(3) If a listed employer is aggrieved by an original order of the Deputy Chairman against him under clause 34, he may prefer an appeal to the Central Government. The Central Government shall make such order on the appeal as it thinks fit.

(4) Every appeal referred to in sub-clauses (1), (2), and (3) shall be in writing and preferred within 14 days of the receipt of the order appealed against:

Provided that the appellate authority may for reasons to be recorded, admit an appeal preferred after the expiry of 14 days.

(5) An appellant shall not be entitled to be represented by a legal practitioner before the appellate authority but he shall be entitled to be represented by a representative of the association of listed employers of which he is a member or by a listed employer.

38. Special provisions for action in an Emergency :

(1) If at any time the Chairman is satisfied that an emergency has arisen which will seriously affect the working of

the port, he may, by order in writing and for such period as he may from time to time specify therein, make declaration to that effect:

Provided that no such declaration shall be made except with the previous approval of the Central Government.

(2) So long as an order under sub-clause (1) is in force, the following provisions shall apply, namely:—

- (i) If any allegation is made that a listed employer has failed to carry out the provisions of the Scheme, the Chairman may, after holding a summary inquiry into the allegation, take any of the following steps as regards that employer, that is to say, he may—
 - (a) give the listed employer a warning in writing, or
 - (b) direct that the name of the listed employer shall be removed forthwith from the employers' register either permanently or for such period as he may determine.
- (ii) If any allegation of indiscipline, "go-slow" or misconduct is made against a listed dock worker, the Chairman may suspend him forthwith pending inquiry, hold a summary inquiry into the allegation and take any one or more of the following steps against that worker, that is to say, he may—
 - (a) determine that for such period as he thinks proper that worker shall not be entitled to any payment;
 - (b) give him a warning in writing;
 - (c) suspend him without pay for a period not exceeding three months;
 - (d) terminate his services after giving 14 days notice or 14 days' wages inclusive of dearness allowance in lieu thereof, or
 - (e) dismiss him.

(3) The provisions of the Scheme relating to disciplinary action against listed employers and listed dock workers shall not apply to any order passed by the Chairman under sub-clause (2).

- (iii) (a) Where a worker has been suspended pending enquiry, he shall be paid for each day of suspension a subsistence allowance equivalent to the attendance allowance provided in clause 23 or one-fourth of his daily wage including dearness allowance, whichever is greater: provided that for the period of suspension is excess of a month, the Chairman may, in exceptional cases grant a higher subsistence allowance not exceeding half the total daily wage including dearness allowance;
- (b) the subsistence allowance so paid shall not be recoverable or liable to forfeiture in any case whatsoever;
- (c) where a worker is found not guilty, he shall be entitled to such payments in respect of the period of his suspension as the Administrative Body may certify that the worker would have received on the time rate basis or under clause 23 had he not been suspended, provided that the amount so payable shall be reduced by the amount of subsistence allowance already paid during that period.

(4) Any listed dock worker or listed employer who is aggrieved by an order passed by the Chairman under sub-clause (2) may, within 30 days of the date of receipt of the order, prefer an appeal to the Central Government.

(5) Notwithstanding anything contained in the Scheme so long as an order under sub-clause (1) is in force the Chairman may authorise the employment of un-listed workers directly by listed employers and payment to such un-listed workers directly.

39. Cost of operating the Scheme :

(1) The Cost of operating the Scheme shall be defrayed by payments made by listed employers to the Board. Every listed employer shall pay to the Board such amount by way of levy in respect of reserve pool workers together with and at the same time as the payment of gross wages due from him under clause 29(5), as the Board may, from time to time, prescribe by a written notice to listed employers and the amount payable by way of such levy shall not be less than such amount as the Board may fix as the minimum payable by every listed employer. If considered necessary, the Board may require any listed employer to pay such such amount by way of levy in respect of monthly workers at such rate as it may determine.

(2) In determine what payments are to be made by listed employers under sub-clause (1), the Board may fix different rates of levy for different categories of work or workers, provided that the levy shall be so fixed that the same rate of levy will apply to all dock employers who are in like circumstances.

(3) The Board shall not sanction any levy exceeding hundred per cent of the estimated total wage bill calculated on the basis of the daily wage rate without the prior approval of the Central Government.

(4) A listed employer shall on demand make a payment to the Board by way of deposit, or provide such other security for the due payment of the amount referred to in sub-clause (1), as the Board may consider necessary.

(5) The Administrative Body shall furnish from time to time to the Board such statistics and other information as may reasonably be required in connection with the operation and financing of the Scheme.

(6) If a listed employer fails to make the payment due from him under sub-clause (1) or any other amount due and payable to the Board in any other capacity or account within the time prescribed by the Administrative Body, the Administrative Body shall serve a notice on the employer to the effect that, unless he pays his dues within three days from the date of receipt of the notice, the supply of listed dock workers to him shall be suspended. On the expiry of the notice period, the Administrative Body shall suspend the supply of listed dock workers to a defaulting employer until he pays his dues.

40. Arrears of dearness allowance, wages and other allowances :

In case of any revision of dearness allowance or grant of revised wages or other allowances, with retrospective effect, in pursuance of any award or recommendation made by the Central Government, the Board may, out of its funds, pay the listed dock workers arrears upto the date of award or, as the case may be, of the recommendation or order, if the Board so decides.

41. Provident Fund and Gratuity :

(1) Without prejudice to the Award, the Board in respect of the workers in the reserve pool and the listed employers, in respect of their monthly workers, shall frame and operate rules providing for contributory provident fund. The rules shall provide for the rate of contribution from the workers and the employers, the manner and method or payment and such other matters as may be considered necessary: Provided that the rules applicable to monthly workers shall not be less favourable than those relating to workers in the reserve pool.

(2) Without prejudice to the Award, the Board shall frame rules for payment of gratuity to listed workers.

42. Dock Workers Welfare Fund :

Cost of amenities, welfare and health measures and recreation facilities for listed dock workers shall be met from a separate fund called the Dock Workers' Welfare Fund which shall be maintained by the Board. Contribution to this Fund shall be made by all listed employers at such rate as may be determined by the Board. The Board shall frame rules for contributions to, maintenance and operation of the Fund.

SCHEDULE 1 (See Clause 22)

The minimum number of days in a month for which wages are guaranteed should be assessed on the basis of average employment during the preceding 12 months according to the following procedure :—

- Supposing an assessment is being made in the month of October, 1972, the total number of workers in the reserve pool (including the leave Reserve Workers) as on 1st October, 1971 and 31st October, 1971 should be ascertained. The average strength, on the register, of these categories should be ascertained by adding the two figures and dividing by 2.
- The total number of man-shifts worked by workers of the categories referred to in (a) during the month should be ascertained from the daily employment statistics.
- The total number of man-days of authorised or unauthorised leave taken by the above workers should be ascertained. This figure should be divided by the number of working days in the month to ascertain the average number of workers away on leave.
- The figures ascertained as in (c) should be deducted from the average obtained as in (a) to arrive at the effective strength of workers available during the month.
- The figure of man-shifts ascertained under (b) should be divided by the effective strength ascertained as in (d). The figure arrived at will be the average number of days of employment during the month of October, 1971.
- The above process should be repeated for the remaining 11 months from November, 1971 to September, 1972.
- The average employment figures for the 12 months should be added and divided by 12.
- The figures arrived at in (g) above should be fixed as the minimum number of days for which wages will be guaranteed for the following 12 months ending 30th September, 1973.

The following example will illustrate :—

Suppose the total number of workers and Leave Reserve Workers in the reserve pool as on 1st October	2,000
Suppose the total number of workers and Leave Reserve Workers in the reserve pool as on 31st October	1,950
	<hr/> 3,950
Average strength on the register for the month	$\frac{3,950}{2} = 1,975$
Total number of man-shifts worked by the workers of the above categories in October	36,000
Total number of man-days of authorised or unauthorised leave taken by the workers	5,250
Number of working days in the said month (31 days of the month less one non-working day)	30
Average number of workers away on leave	$\frac{5,250}{30} = 175$
Effective strength available during the month	$1,975 - 175 = 1,800$
Average employment for the month of October	$\frac{36,000}{1,800} = 20 \text{ days}$

The same procedure will be followed to arrive at the average employment for the remaining 11 months. Let us assume the figure are as follows :—

October, 1971	20
November, 1971	21
December, 1971	18
January, 1972	20
February, 1972	18
March, 1972	19
April, 1972	20
May, 1972	19
June, 1972	18
July, 1972	19
August, 1972	20
September, 1972	16
Total	<hr/> 228

The number of days for which wages will be guaranteed for the next 12 months ending 30th September, 1973 will be—
228 =

$$\frac{228}{12} = 19 \text{ days.}$$

[No. 51/1/70-P & D]

New Delhi, the 13th December, 1972

S.O. 5273.—The following draft of a Scheme further to amend the Bombay Dock Workers (Regulation of Employment) Scheme, 1956 which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or the expiry of 45 days from the date of publication of this notification in the Official Gazette.

Any objections or suggestions which may be received from any person with respect to the said draft before the expiry of the period so specified will be taken into consideration by the Central Government.

DRAFT SCHEME

1. This Scheme may be called the Bombay Dock Workers (Regulation of Employment) Amendment Scheme, 1972;

2. In the Bombay Dock Workers (Regulation of Employment) Scheme, 1956, —

- in clause 16, in sub-clause (2), after item (i), the following items shall be inserted, namely :—

“(j) Cleaning or Sweeping Gangs Tindels.
(k) Cleaning workers.
(l) Sweeping workers.
(m) Stitchers.
(n) Sewing men.”

- in clause 18, in sub-clause (1) after item (c), the following proviso shall be inserted namely :—

“Provided that any determination by the Board regarding the number of persons to be registered shall be subjected to approval by the Central Government.”

- in Schedule 1 in sub-clause (2) after item (i), the following items shall be inserted, namely :—

“(j) Cleaning or Sweeping Gangs Tindels.
(k) Cleaning workers.
(l) Sweeping workers.
(m) Stitchers.
(n) Sewing men.”

[No. 51/4/70/-P and D]

नई दिल्ली, 13 नवम्बर, 1972

New Delhi, the 14th December, 1972.

का. आ. 5273.—मुम्बई डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1956 में और संशोधन करने के लिए स्कीम का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार, डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, बनाने की प्रस्थापना करती है, उक्त उपधारा द्वारा यथा अपेक्षित उन सभी व्यक्तियों की जानकारी के लिए, जिनका उससे प्रभावित होना संभाव्य है, प्रकाशित किया जाता है; और एतद्वारा यह सूचना दी जाती है कि उक्त प्रारूप पर, राजपत्र में इस अधिसूचना के प्रकाशन की तारीख से 45 दिन की समाप्ति पर या उसके पश्चात् विचार किया जाएगा। किन्हीं आक्षेपों या सुझावों पर, जो इस प्रकार विनिर्दिष्ट अवधि की समाप्ति के पूर्व उक्त प्रारूप की बाबत किसी व्यक्ति से प्राप्त किए जाएं, केन्द्रीय सरकार द्वारा विचार किया जाएगा।

प्रारूप स्कीम

1. इस स्कीम का नाम मुम्बई डाक कर्मकार (नियोजन का विनियमन) संशोधन स्कीम, 1972 है।

2. मुम्बई डाक कर्मकार (नियोजन का विनियमन) स्कीम, 1956 में :—

(1) खण्ड 16 में, उपखण्ड (2) में, मधु (भ) के पश्चात् निम्नलिखित मधु अन्तःस्थापित की जाएंगी, अर्थात् :—

“(अ) सफाई करने वाले या भाड़ू देने वाले टिंडलों के समूह।

(ट) सफाई करने वाले कर्मकार।

(ड) भाड़ू देने वाले कर्मकार।

(ड) सीबक।

(इ) सीने का काम करने वाले आवामी।”

(2) खण्ड 18 में, उपखण्ड (1) में मधु (ग) के पश्चात् निम्नलिखित मधु अन्तःस्थापित किया जाएगा, अर्थात् :—

“परन्तु, रजिस्ट्रीकृत किए जाने वाले व्यक्तियों की संख्या के संबंध में बोर्ड द्वारा कोई अवधारण केन्द्रीय सरकार द्वारा अनुमोदन करने के अधीन होगा।”

(3) अनुसूची 1 में, उपखण्ड (2) में मधु (भ) के पश्चात् निम्नलिखित मधु अन्तःस्थापित की जाएंगी, अर्थात् :—

“(अ) सफाई करने वाले या भाड़ू देने वाले टिंडलों के समूह।

(ट) सफाई करने वाले कर्मकार।

(ड) भाड़ू देने वाले कर्मकार।

(ड) सीबक।

(इ) सीने का काम करने वाले आवामी।”

[का. सं. 51/4/70-पी. एण्ड. डी.]

S.O. 5274.—Whereas the Central Government is of the opinion that Shri S. Vishandas who was appointed as member of the Kandla Dock Labour Board to represent the employers of the dock workers in the said Board has ceased to be representative of the employers of dock workers;

And whereas the said member shall be deemed to have vacated his office as member of the said Board under sub-rule (5) of rule 4 of the Dock Workers (Regulation of Employment) Rules, 1962;

Now, therefore, in exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Shri R. N. Rao as member of the Kandla Dock Labour Board and makes the following amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 3805 dated the 26th October, 1968, namely:—

In the said notification, under the heading “Members representing the Employers of Dock Workers and Shipping Companies” against item (1), for the entry “Shri S. Vishandas” the entry “Shri R. N. Rao” shall be substituted.

[No. V. 17012/1/72-P&D]

V. SANKARALINGAM, Under Secy.

नई दिल्ली, 14 दिसम्बर, 1972

का. आ. 5247.—यतः केन्द्रीय सरकार की राय है कि श्री एस. विशनदास, जो कांडला डॉक श्रम बोर्ड के, उक्त बोर्ड में डॉक कर्मकारों के नियोजकों का प्रतिनिधित्व करने के लिए सदस्य के रूप में नियुक्त किए गए थे, अब डॉक कर्मकारों के नियोजकों के प्रतिनिधि नहीं कर रहे हैं;

और यतः यह समझा जाएगा कि डॉक कर्मकार (नियोजन का विनियमन) नियम, 1962 के नियम 4 के उप-नियम (5) के अधीन उक्त सदस्य ने उक्त बोर्ड के अपने पद को रिक्त कर दिया है;

अतः अब डॉक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 5क की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री आर. एन. राव को, कांडला डॉक श्रम बोर्ड के सदस्य के रूप में नियुक्त करती है और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं. का. आ. 3805 तारीख 26 अक्टूबर, 1968 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “डॉक कर्मकारों के नियोजकों और जहाज-रानी कंपनियों का प्रतिनिधित्व करने वाले सदस्य” शीर्षक के अंतर्गत, मधु (1) के सामने “श्री एस. विशनदास” प्रविष्टि के स्थान पर “श्री आर. एन. राव” प्रविष्टि रखी जाएगी।

[सं. पी. 17012/1/72-पी. एण्ड. डी.]

वी. शंकरालिंगम,

अवर सचिव

New Delhi, the 8th December, 1972

S.O. 5275.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Western Kajora Colliery, Post Office Raniganj, District Burdwan and their workmen, which was received by the Central Government on the 2nd December, 1972.

[No. L-19012/133/71-LRII]

KARNAIL SINGH, Under Secy.

**CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA**

REFERENCE NO. 123 OF 1971

Parties :

Employers in relation to the management of Western
Kalora Colliery.

and

Their workmen

Present :

Sri S. N. Bagchi—Presiding Officer.

Appearance :

On behalf of }	
Employers }	Absent
On behalf of }	
Workmen }	Absent

State : West Bengal

Industry : Coal Mine.

AWARD

By Order L/1912/133/71-LRII, dated 10th December, 1971, the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment), referred the following dispute existing between the employers in relation to the management of Western Kajora Colliery and their workmen, to this Tribunal, for adjudication, namely :—

“Whether the management of Western Kajora Colliery Post Office Raniganj, District Burdwan was justified in retrenching Shri Jogesh Talukdar, Brattice Mistry from the 2nd April, 1971? If not, to what relief is the workman concerned entitled?”

2. To-day when the case was called on for hearing nobody appeared either on behalf of the management or on behalf of the workmen. On 28th December, 1971 notices were issued upon the parties inviting their statement of cases. But only on 22nd November, 1972 for the first time the Joint General Secretary, Colliery Mazdoor Union (INTUC) submitted a petition for leave to file written statement and that also ten months after the receipt of notice. This tribunal received a telegram from the said Joint General Secretary of the Union on 18th November, 1972 where the prayer was for adjournment of hearing on 23rd November, 1972. The notice of this reference which was sent as a measure of abundant caution though not required by Rule 10B(1) of the Central Rules to the address of the party representing the workmen involved in this proceeding being the Joint General Secretary, Colliery Mazdoor Union 27, G. T. Road, Bastin Bazar, Asansol, Burdwan was duly received by him. Somebody signed the acknowledgement receipt of the notice sent by registered post in Hindi with a date thereunder in English affixing purportedly a common seal of the union concerned. I cannot understand why for the last 10 months the union could not contact the only workman involved in this case and the statement in paragraph 2 of the union's application that due to prolong unemployment the workmen concerned lost contact with the union does not impress me and I cannot, therefore, adjourn the hearing of this case.

3. As neither the management nor the union in spite of clear notice served on them by this Tribunal cared to file their statement of case for the last 10 months, this tribunal presumes that there is no existing dispute pending between the parties concerned and as such a 'no dispute' award is rendered in this reference.

This is my award.

Dated,
November 23, 1972.
21 G of I/72—12.

S. N. BAGCHI, Presiding Officer

New Delhi, the 8th December, 1972

S.O. 5276.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Hyderabad, in the industrial dispute between the employers in relation to the management of Ramagundam Divisions of I and II of Singareni Collieries Company Limited, Post Office Godavari Khani (Andhra Pradesh) and their workmen, which was received by the Central Government on the 1st December, 1972.

[No. L-21012/23/72-LRII]

KARNAIL SINGH, Under Secy.

**BEFORE THE INDUSTRIAL TRIBUNAL: (CENTRAL)
AT HYDERABAD.**

Present:

Sri P. S. Ananth, B. Sc., B. L., Presiding Officer, Central Industrial Tribunal Hyderabad.

INDUSTRIAL DISPUTE NO. 69 OF 1971

Between :

Workmen of Singareni Collieries Company Limited, Ramagundam Divisions 1 & 2; P. O. : Godavari Khani.

AND

Management of Singareni Collieries Company Limited, Ramagundam Division 1 & 2, P. O. : Godavari Khani.

Appearances :

Sri A. Raghuramulu, Vice President, A. P. Singareni Collieries Mazdoor Sangh, Ramagundam Branch, for workmen.

Sri M. Shyam Mohan, Personnel Officer, Bellampalli and Sri Sri P. Papa Rao, Divisional Personnel Officer, Godavari Khani, for Management.

AWARD

The Government of India, Ministry of Labour, Employment and Rehabilitation, by its Order No. L/2112/23/71-LRII, dated 19th October, 1971 referred the following dispute under section 10(1)(d) of the Industrial Disputes Act, 1947 (hereinafter referred to as the said Act) for adjudication to this Tribunal, namely :—

“Is the management of Ramagundam Divisions I and II of Singareni Collieries Company Limited, justified in not giving new Category V wages with effect from the 15th August, 1967 (date of implementation of new Wage Board Recommendations) to Sarvashri Khaja, Victor, G. Banaiah, D. Rajam, M.A. Zabbar, Prasadarao and Shamsuddin, Welders, in the said two divisions and in giving them only new Category-IV wages from the said date? If not, to what relief are the workmen entitled?”

2. Did the management of Ramagundam Division I and II of Singareni Collieries Company Limited employ Sarvashri Lalmiya, Mallareddy, (I.T.I. Trained persons as Welders), Sambaiah and Rajaiah (persons having experience as Welders) as Welders throughout their service from the 15th August, 1967, or not? If they had employed them as Welders, is the management justified in not paying them new Category V wages from the 15th August, 1967? If not, to what relief are the said workmen entitled?”

This reference was taken on file as Industrial Dispute No. 69 of 1971 and notices were issued to the parties. For the purpose of convenience the workmen of Singareni Collieries Company Limited, Ramagundam Divisions are referred to as the petitioners and the Singareni Collieries Company Limited, Ramagundam Divisions is referred to as the respondent in the course of this award. The claimants in this case are Khaja, Victor, G. Banaiah, D. Rajam, M. A. Zabbar, Prasadarao and Shamsuddin who are welders in new Category IV and Lalmiya, Mallareddy, Sambaiah and Rajaiah who are said to be Welders.

2. The petitioners are represented by Andhra Pradesh Singareni Collieries Mazdoor Sangh (hereinafter referred to as the said Sangh). The Vice-President of the said Sangh filed a claims statement contending as follows:—The eleven persons concerned are the permanent employees of the respondent, Khaja, Victor, G. Banaiah, D. Rajam, Lalmyia, and Zabbar and working as Welders in the Workshop, whereas Mallareddy and Prasadarao are working as Welders in the Power House at Ramagundam. Shamsuddin, Sambiah and Rajaiah are working as Welders in G. D. K. inclines 5, 6 and 7 respectively. All these employees were governed by the Coal Award, that is, Mazumdar Award till 14th August, 1967, with effect from 15th August, 1967, the Respondent implemented the recommendations of the Central Wage Board for Coal Mining Industry. Having regard to the nature of the work done by and designations given to Khaja, Victor, D. Banaiah, D. Rajam and M. A. Zabbar, Prasadarao and Shamsuddin, there is no dispute that these persons are Welders. All these seven persons were placed in old category IV under the Coal Award till 14th August 1967. Aggrieved by this they complained that they should have been placed in old Category VII having regard to the nature of the work handled by them. Whatever might have been done before 14th August, 1967 these seven persons are entitled to be placed in new Category V as per the recommendations of the Central Wage Board. Under the Coal Award time rates employees were placed in 10 categories. The Central Wage Board constituted by the Central Government in 1962 recommended that in the interest of rationalisation existing 10 categories should be compressed into 6. It is further stated by the Board that the compression is made to make the wage structure more rational, equitable and practical. The recommendations of the Central Wage Board were accepted by the Central Government and the respondent implemented the said recommendations with effect from 15th August, 1967. The recommendations for fitting existing workmen into new six categories are contained in Appendix V to the report. As per Appendix V Welders are placed in category V and Category VI having regard to the skill and experience. The minimum category recommended for welders by the Central Wage Board is category V. In flagrant violation of the specific recommendations of the Wage board the respondent placed the above said seven persons in new Category IV. On a obviously erroneous and an ex-facie mistaken impression that these seven persons happened to be in old Category IV under the Coal Award the management placed them in new category IV. Aggrieved by this unjustifiable action of the respondent, the said claimants raised the dispute claiming new Category V. It is incorrect to state that there was any concluded settlement between the workmen and the management in February, 1966. When Sri R. Lall and Sri Kanti Mehta the two members of the Central Wage Board visited the Company certain matters were discussed by the representatives of the workmen and the management. Ultimately as the workmen and the management failed to come to an agreement on any of the matters discussed, the representatives of the workmen did not sign the settlement. So the alleged agreement does not exist. The remaining four employees namely Lalmyia, Mallareddy, Sambiah and Rajaiah are also working as Welders and they are placed in new Category IV. Lalmyia and Mallareddy are certified holders in the trade of Welder from I.T.I. Sambiah and Rajam are working as Welders since a long time and they have gained rich experience. The Management is extracting from these four persons the work of a Welder. It is admitted by the respondent in the course of Conciliation proceedings that these four persons were being paid category IV wages and so these four persons are also entitled to be placed in new category V. Persons doing similar type of work like the persons concerned in this dispute are placed by the respondent in new category V. There is no reason why the respondent should mete out a discriminatory treatment to these workmen. So this Tribunal may pay the eleven workmen concerned in this dispute Category V wages as per the recommendations of the Wage Board.

3. The respondent filed a counter contending as follows:—

There is a claim pending in Industrial Dispute No. 30 of 1967 demanding higher category for various designations and the matter is sub judice. So the reference now made is not maintainable. G. Banaiah, D. Rajam and M. A. Zabbar were working in the Workshop in Category IV Welders (Tradesmen) prior to the implementation of the Wage Board recommendations. As per the recommendations and the principles laid down for awarding the new categories these persons were correctly fixed in new category IV Prasada

Rao of Power House and Shamsuddin of G. D. K. 5 Incline were also in old category IV and correctly placed in new Category IV. Rajaiah was appointed on 13th April, 1967 as Electrical Mazdoor in Category I and by a bipartite settlement under Rule 58(4) of the Central Rules framed under the said Act. Rajaiah was promoted to Category IV with effect from 1st July, 1970. Lalmyia who was appointed on 17th June, 1966 as Mazdoor in category I was also promoted to new category IV under the said settlement. Sambiah was a Fitter helper in the workshop and he was promoted to Category IV on acting basis on 27th November, 1970 and he was subsequently promoted as Welder in category IV with effect from 15th August 1971. At the time of conciliation discussion, Sambiah informed in writing that he happens to be a member of Singareni Collieries Workers Union and that he had not authorised the Vice-President of the said Sangh in this case. The Wage Board had re-constituted the ten categories that were in Singareni Collieries into VI categories and rationalised the categorisation. The principles laid down by the Wage Board were scrupulously followed and categories were fixed. The allegation that Lalmyia, Mallareddy and Rajaiah have been working as Welders throughout prior to the implementation of the Wage Board recommendations is denied. The management denies any discriminatory treatment between the four workmen and the other seven workmen. In respect of eleven workmen referred to they have not attained their skill and knowledge required for the job of welding as per job description vide Item No. 17, Grade II and the management could not consider their experience as sufficient and confer category V on them. Sole authority to judge the capability or otherwise in the technique of welding is the Management. Before the submission of the recommendations of the Wage Board, the sub-committee consisting of M/s. Kanti Mehta and R. Lall had discussions with the Management and the Unions and a specific agreement were recorded during these discussions in respect of various categories including Tradesmen and Artisans which have been referred to in the Wage Board in Chapter IX of its report. It was also specifically agreed that in view of the arrangements the workers will have no claim to reopen these issues. At the time of implementation of the Wage Board recommendations, these workmen were in old Category IV and so they were allotted new category IV as per the agreement. It was agreed in that agreement that Tradesmen and Artisans who were in old categories IV and V should be allotted new Category IV. Having raised similar dispute in I.D. No. 66 of 1965 before the Tribunal in respect of this category of Welders, they are estopped from raising the same dispute from a higher category whether under the Coal Award or under the Wage Board recommendations. The contention that for new Category V Welder was old category was VII was turned down by this Tribunal. These workmen are given training in the trade and kept on the rolls of the Company even though the strength of the Welders is more than the adequate number. So the claim of the workmen is not justified.

4. The dispute that is referred to this Tribunal are in two parts. The first part relates to Khaja, Victor G. Banaiah D. Rajam and M.A. Zabbar, Prasadarao and Shamsuddin who are said to be the Welders and the dispute referred to is whether the management is justified in giving them only new Category IV with effect from 15th August, 1967. The second part of the dispute is with reference to Lalmyia, Malla Reddy, Sambiah and Rajaiah and this dispute is whether the Management employed these four persons as Welders throughout their service from 15th August, 1967 and if they had been so employed whether the management is justified in not paying them new Category V wage from 15th August, 1967.

5. The claimants in this case are said to be working as Welders under the respondent. They are now paid new Category IV wages. Now the claimants want that they should be paid new Category V Wages. The contention of the claimants is that the Central Wage Board for Coal Mining Industry had recommended minimum Category V for Welders and that the respondent is not justified in placing them under new Category IV. Now it is seen from the evidence that the respondent has placed all those persons who were in old Category IV in new category IV. The contentions of the respondent are that the claimants have been given correct category and that there was also an agreement entered into before the Sub-Committee of the Wage Board in respect of some categories including Tradesmen and Artisans under which it was agreed that Tradesmen and Artisans who were in old categories IV and V shall be allotted new Cate-

gory IV and that there is also Industrial Dispute No. 30 of 1967 which is now pending before this Tribunal where higher categories have been claimed for various designations and that if any findings are given now in the present industrial dispute it would be only pre-judging the issues in I.D. No. 30 of 1967. In view of all these contentions, now it has to be seen whether the present dispute can be disposed of on merits or whether the parties should await the decision in I.D. No. 30 of 1967.

6. Before considering the evidence let in by the parties it would be useful to refer to the dispute raised in I.D. No. 30 of 1967 and the relevant contentions put forward by the parties in that industrial dispute. The reference which is the subject matter of industrial dispute No. 30 of 1967 is as follows:—

"Subject to the views expressed and recommendations made by the Central Wage Board for Coal Mining Industry and the agreement between the management of Singareni Collieries Company Limited and their trade unions referred to, in paragraphs 3 to 6 of Chapter IX of the Wage Board report, what further modifications and changes in the categorisation and wage structure recommended by the said wage Board for West Bengal and Bihar Coal Fields are necessary to make the said categorisation and wage structure applicable to the workmen of S.C. Co. Ltd., having regard to the special conditions obtaining in the Andhra Pradesh Coal Fields."

In that case the different Unions have filed their claims statements and those Unions are Singareni Collieries Mazdoor Sangh, Kothagudem, Andhra Pradesh Singareni Collieries Mazdoor Sangh, Kothagudem, Mining Sirdars and Overmen's Association Bettanpalli and Kottagudem, Singareni Collieries Workers Union, Kothagudem and Tandur Coal Mines Labour Union. These mines have filed the claims statements almost on the same lines and so it is not necessary to refer to all the claims statements and reference may be made to claims statement. Of one of the Unions. Now it is seen that the present claimants come under the category of Tradesmen. In the claims statement filed by the Singareni Collieries Workers Union as regards the tradesmen who were in old categories IV, V and VI the contention put forward is that these tradesmen should be given new Category V prescribed by the Wage Board in view of the highly skilled nature of duties and in the summary of the demand which is shown as an Annexure to the claims statement, the claim is that the Tradesmen in the old categories IV, V and VI should be given new Category V. The contention of the Management, as seen from the counter filed in I.D. No. 30 of 1967, is that there were discussions before the Sub-Committee of the Wage Board and that pursuant to those discussions an agreement was entered into and that as per that agreement the cases of all workers in old categories IV, V, VI, VII and VIII were also decided and that it was agreed that workers in categories IV, and V shall be allotted new Category IV and that the workers in old categories VI and VII should be allotted new Category V and so the claims made by the Union are unjustified.

7. W.W. 1 (M. A. Zabbar) is one of the claimants. He says that when he was working in old Category IV he applied for old category VII as per the Award but the Management did not give old Category VII, that after the Wage Board also he gave an application that he was not given correct category, that as per Wage Board Recommendations he has to be given new Category V, that he and the other Welders are doing the job description given for Category V, Grade II Welders in the Wage Board. W.W. 2 (Ch. Rajaiah) is working as Welder in Category V and he speaks about the work done by him and other workers in Category IV. According to him Category IV Welders will do the same work that Category V Welders do. M.W. 1 (A. Satyanarayana) who is the Assistant Engineer. According to him Category IV Welders will do all sub standard jobs, that for those who were in old Category IV, new Category IV was given after the recommendations of the Wage Board and that the present claimants are not doing the work of skilled senior whose category is V.

8. So from the evidence of the witnesses examined on the side of the petitioners it is seen that the claimants' case is that at the time when the Wage Board Recommendations

were implemented they should have been placed in new Category V but not in new Category IV and from the evidence adduced on the side of the Management it is seen that the contention of the respondent is that the claimants have been placed correctly in new Category IV and that they are not entitled to claim higher category V considering the nature of the work done by them. It is also seen from the evidence of W.W. 1 that even prior to the Wage Board recommendations he was given old Category IV and that even though he requested that he should be given old Category VII his request was rejected. Now from the evidence it is seen that all those who were in old category IV were given new Category IV.

9. Now from the nature of the reference made in I.D. No. 30 of 1967 and the nature of the claim put forward in that case and the nature of the contention of the respondent in that case it is clear that the Tradesmen including the claimants are claiming new Category V and that the present claim also is that they are claiming new Category V. It is also seen from the evidence that the respondent is pleading some agreement which is said to have been entered into before the Sub-Committee as regards certain categories of tradesmen and now this agreement is denied and this very same agreement is also put forward by the respondent in I.D. No. 30 of 1967. So the question whether there was really such an agreement or not is a matter which has to be decided only in I.D. No. 30 of 1967. So, under the circumstances of this case, I feel that if any findings are given in the present case as to whether the claimants are entitled to new Category V and whether the agreement pleaded by the respondent is true or not and whether any such agreement is binding or not, it would be only pre-judging similar issues that arise for a decision in I.D. No. 30 of 1967. I am satisfied that the present dispute is also covered by I.D. No. 30 of 1967 and it would be in the interests of both the parties to get a decision in I.D. No. 30 of 1967 instead of seeking for a decision in the present case. The parties can certainly put forward all their present contentions in I.D. No. 30 of 1967 itself. In this view of the matter I hold that so far as the present dispute referred to this Tribunal for adjudication is concerned, this dispute is also covered by I.D. No. 30 of 1967 which is pending and that the parties can put forward all their present contention in I.D. No. 30 of 1967 itself and that any decision now given in the present case would be only pre-judging the issues in I.D. No. 30 of 1967 and that it would not be in the interests of parties to give a decision in the present industrial dispute in view of the dispute that is pending in I.D. No. 30 of 1967, and that no finding is called for in the present case.

Award is passed accordingly.

Dictated to the stenographer, transcribed by him and corrected by me and given under my hand and the seal of this Tribunal, this the 6th day of November, 1972.

INDUSTRIAL TRIBUNAL.

APPENDIX OF EVIDENCE

Witnesses Examined

For Workmen.

W. W. 1 M. A. Jabbar.

W. W. 2 Ch. Rajaiah

Witnesses Examined

For Employers.

M. W. 1 A. Satyanarayana.

M. W. 1 Recalled and Examined.

Document Exhibited for Workmen.

Ex. W. 1 True copy of the Extract of Circular dated 13th October, 1967 of Kothagudem Collieries.

Ex. W. 2 True copy of the Extract of S. C. C. Ltd., Wage schedule P. No. 8, dated 27th July, 1961 of Kothagudem Colliery.

Ex. W.3 True copy of the Extract of S. C. C. Ltd., wage schedule dated 20th July, 1960 of Andrews incline No. 2, Appendix 2.

Ex. W. 4 True Copy of the Extract of Wage schedule dated 20th July, 1960 of Andrews incline No. 1, Appendix I.

Ex. W. 5 True copy Extract of Wage Schedule dated 20th July, 1960 of Kothagudem Colliery No. 5 incline Appendix 4.

Ex. W. 6 True copy of the Extract of Wage Schedule of S. C. C. Ltd., dated 20th July, 1960 of Yellandu Collieries, Appendix 3.

Document Exhibited for Employees.

Ex. M. 1 Copy of the Abstract of Minutes of Discussions held at Hyderabad on 11th, 12th February, 1966, between the representatives of the Management, S. C. C. Ltd., & the Representatives of the Workmen.

Ex. M. 2 Statement of Sri Santi Sambaiah acting Welder G.D.K. No. 6 incline dated 16th May, 1971.

Ex. M. 3 Daily Allocation book of Welders from 22nd March, 1971 to 25th July, 1971.

INDUSTRIAL TRIBUNAL.

New Delhi, the 8th December, 1972

S.O. 5277.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur, in the industrial dispute between the employers in relation to the management of Korba Colliery of Messrs National Coal Development Corporation Limited, Post Office Korba Collieries, District Bilaspur (Madhya Pradesh) and their workmen, which was received by the Central Government on the 27th November, 1972.

[No. L-22012/14/72-LR.II.]

KARNAIL SINGH, Under Secy.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL—
CUM-LABOUR COURT, JABALPUR.

Jabalpur, the 18th November, 1972

Present :

Mr. Justice S. N. KATJU.....*Presiding Officer.*

CASE REF. No. CGIT/LC(R) (25) /1972.

(Notification No. L/22012/14/72-LR.II, dated 22-6-1972).

Parties :

Employers in relation to the management of Korba Colliery of Messrs National Coal Development Corporation Limited, Post Office Korba Collieries, District Bilaspur (M.P.) and their workman Subhas Tandey represented through the National Coal Organisation Employees Association, P. O. Korba Collieries, District Bilaspur.

Appearances :

For Employers:—Sri P. S. Nair, Advocate.

For Workmen:—None.

Industry : Coal Mine

District : Bilaspur (M.P.)

AWARD

This is a reference under Sec. 10(1)(d) of the Industrial Disputes Act, 1947. The question referred to me is:—

“Whether the action of the management of the Korba Colliery of M/s. National Coal Development Corporation Limited, P. O. Korba Collieries, District Bilaspur, in not appointing Shri Subhas Tandey as Cook in the Russian Mess with effect from 1st June, 1967 and not paying him wages as Cook till he was transferred from the Russian Mess to the National Coal Development Corporation rest house at Korba as Attendant in 1971, is justified? If not to what relief is the workman entitled?”

Eversince the reference was referred to this Tribunal no representative of the Union appeared before me. The Union

only sent its written statement by post. On the basis of the written statement of the management, I framed another issue in addition to the one as set out in the schedule to the reference. A rejoinder has also been filed on behalf of the management. No one has appeared on behalf of the Union. It was contended on behalf of the Union that Subhas Tandey was actually working as a Cook in the Russian Mess at Korba where the Russian Experts were putting up. He continued to work there as a Cook till 1971 and thereafter was transferred and posted at Korba Rest House. The Union demanded that Subhas Tandey should be designated as a Cook and paid in the scale of Rs. 165—230 in accordance with the recommendations of the Central Wage Board for the Coal Mining Industry, with effect from 30th May, 1967 when he was attached with the Russian Mess.

The Management has contended that Subhas Tandey was not a workman and consequently the reference was not maintainable. According to the management, Subhas Tandey was initially appointed as a General Mazdoor in Category I and was paid Re. 1.06 P. with effect from 30th November, 1964. He was attached with the then Dy. S.O.C., Shri S.K. Mukherjee, as the latter's domestic servant. He continued to work as such till May, 1967 and thereafter he was transferred and posted at N.C.D.C. Rest House Korba where he worked till 1971. According to the management, Subhas Tandey was only doing miscellaneous work as an Attendant and posted with the Russian Experts and he might have done cooking casually. After the Russian experts left, Tandey was transferred to N.C.D.C. Rest House, Korba as an Attendant. It was contended that he was still working as an Attendant in the rest house and was not a cook and therefore the demand of the Union for regularisation of the service of Subhas Tandey as a Cook was untenable. In view of the fact that no one has appeared on behalf of the Union and there is nothing to substantiate the case as put forward by the Union I am not prepared to disbelieve the version as put forward by the management. I, therefore, answer the first part of the reference in the affirmative and further hold that the workman is not entitled to any relief. I make my award accordingly. The parties will bear their own costs.

S. N. KATJU, Presiding Officer.

New Delhi, the 11th December, 1972

S.O. 5278.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, No. 2, Dhanbad, in the industrial dispute between the employers in relation to the management of Tisra Colliery of Messrs Diamond Coal Company Limited, Post Office Jharia, District Dhanbad and their workmen, which was received by the Central Government on the 7th December, 1972.

[No. 2/179/70-LR.II.]

KARNAIL SINGH, Under Secy.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL
TRIBUNAL (No. 2), DHANBAD

Present :

Shri Nandagiri Venkata Rao,
Presiding Officer.

Reference No. 13 of 1971.

In the matter of an industrial dispute under S. 10(1)(d) of the Industrial Dispute Act, 1947.

Parties :

Employers in relation to the management of Tisra Colliery of Messrs Diamond Coal Company Limited, Post office Jharia, District Dhanbad.

AND

Their workman Shri Mithu Singh.

Appearances :

On behalf of the employers in relation to the management of Tisra Colliery.

: Shri P. K. Bose,
Advocate.

On behalf of Bharat Coking Coal Ltd.

: Shri S. S. Mukherjee,
Advocate.

On behalf of the workman Shri Mithu Singh.

: Shri B. Lal,
Advocate.

State : Bihar.

Industry : Coal.

Dhanbad, 4th December, 1972.

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the management of Tisra Colliery of Messrs Diamond Coal Company Limited, Post office Jharia, District Dhanbad and their workman Shri Mithu Singh, by its order No. 2/179/70-LR. II dated 6th January, 1971 referred to this Tribunal under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The schedule is extracted below :

SCHEDULE

"Whether the action of the management of Tisra Colliery of Messrs Diamond Coal Company Limited, Post office Jharia, District Dhanbad, in terminating the services of Shri Mithu Singh, Night Guard with effect from the 16th July, 1970 is justified? If not, to what relief the workman is entitled?"

2. Employment as well as the affected workman filed their statement of demands.

3. The case of the affected workman is that he was a permanent night guard in the colliery of the employers since 1964 and his services were terminated with effect from 16-7-1970 without any notice or assigning any reason. The employers filed the written statement pleading *inter alia* that there never existed any employer-employee relationship between them and the affected workman. While the case was pending for receipt of documents the colliery was taken over by the Government of India and on the application of the affected workman, at first the custodian and custodian general and then the Bharat Coking Coal Ltd. was impleaded a party. On behalf of the Bharat Coking Coal Ltd. also written statement was filed, adopting the pleas taken by the employers and further pleading that they are not liable or responsible for any act done by the previous employers. The affected workman was represented by Shri B. Lal, Advocate, the employers by Shri P. K. Bose, Advocate and Bharat Coking Coal Ltd. by Shri S. S. Mukherjee, Advocate. On behalf of the employers a witness was examined and Exts. M 1 and M 2 and W. 1 were marked. On behalf of the affected workman 3 witnesses were examined and Exts. W. 2 to W. 5 were marked.

4. The employers have flatly denied that the affected workman was ever their employee. Hence, the onus was lying on the affected workman to prove that he was an employee of the employers. It is an admitted case that the colliery, Tisra Colliery has always been owned by Messrs Diamond Coal Co. Ltd., who are the employers. As admitted by WW. 1 Bihar Mining Corporation were the managing contractors of the colliery from March, 1964 to end of 1965. Upto March, 1964 Messrs Diamond Coal Co. managed the affairs of the colliery and again they were doing so since termination of the contract of Bihar Mining Corporation till 17-10-1971, when the colliery was taken over by the Government of India. The question is when and by whom the affected workman was employed. In his written statement as well as in his evidence as WW. 3 the affected workman has simply stated that he was appointed in the summer of 1964. But he has deposed that Jamuna Prasad Singh, the then manager of the colliery had appointed him. According to

him he was not given any appointment letter, but he was given a slip. What that slip is, is not known. WW. 1 has pointed out that Jamuna Prasad Singh was brought as the manager after Bihar Mining Corporation took over the colliery and that the affected workman came to the colliery as night guard after Bihar Mining Corporation took over the colliery. Thus, from the evidence produced by the affected workman itself it emerges that he was appointed by Jamuna Prasad Singh who was the manager of the colliery under the managing contractors, Bihar Mining Corporation. Bihar Mining Corporation is not a party to the Reference, nor was there any application on behalf of the affected workman to summon and implead Bihar Mining Corporation as a party. The employers have also flatly denied that they had terminated services of the affected workman with effect from 16-7-1970 or on any other date. There is no termination letter. There is no evidence that the employers had terminated his services. According to WW. 1 the affected workman performed duties of a night guard in the colliery from 1964 till about 2 or 2-1/2 years and the statement of the witness is based upon the fact, as spoken to by the witness that the affected workman went to the witness for marking his attendance and also to receive his cap lamp. But no attendance register is called for. The evidence of WW. 2, a night guard of the colliery is that the affected workman worked as a night guard for 7 or 8 years in the colliery but he did not know from which year. According to WW. 1 there were 3 night guards, inclusive of the affected workman and WW. 2. On behalf of the employers Form B registers, Exts. M 1 and M 2 for the relevant period are produced and in these registers names of WW. 2 and the other night guard, Sukdeo Mishra are to be found, but not of the affected workman. According to all the witnesses of the affected workman these two night guards were paid their salaries and other benefits in accordance with the Awards, while the affected workman alone was being paid only Rs. 80 per month. According to the affected workman, WW. 3 he was being paid his salaries on vouchers, while the other two night guards on pay sheets. As he himself has pointed out, no provident fund contribution was being deducted from his salary. He says that he used to get leave wages and train fare. But the leave registers are not summoned. The affected workman, WW. 3 says that he was applying for leave but he was not getting the sanction in writing. No reason is assigned why the other 2 night guards should be paid their wages properly and discrimination should be shown to the affected workman. On behalf of the affected workman a hospital admission form, Ext. W. 1 is produced. It is dated 27-2-1970. This form shows that the date of the affected workman joining the employment at the mine was 24-12-1969, which is against the case put up by the affected workman himself. Again, Ext. W. 1 says that his number in the Form B, Form C and Form E register prescribed under the Mines Rules, 1955 was 1183. But the registers for 1969 were not called for. It is the case of the affected workman that while other night guards were being paid Rs. 140 he was being paid Rs. 80 only. But the admission form, Ext. W. 1 says that his monthly basic salary was Rs. 140. Regarding the C.M.P.F. No. the admission form, Ext. W. 1 says that he was newly appointed. This entry rules out the possibility of the date of appointment being a slip of pen. According to the affected workman, WW. 3, Ext. W. 1 was prepared by Ram Lochan Prasad, the store keeper. No attempt is made to examine, Ram Lochan Prasad to clear the discrepancies. Ext. W. 1 is stated to bear the signature of Jamuna Prasad Singh. No attempt is made to summon him either. Ext. W. 2 is a certificate dated 7-9-1964 said to have been issued to the affected workman by Jamuna Prasad Singh. This certificate is of no avail to the affected workman to prove that he was an employee under the employers, because it was issued admittedly during the period when Bihar Mining Corporation was managing the colliery and Jamuna Prasad Singh was the manager. It is further borne out by the fact that the letter head of the certificate is of Bihar Mining Corporation. This is the only evidence brought on record and it is not sufficient to hold that the affected workman was an employee of the employers or the employers have terminated his services with effect from 16-7-1970. Probably he was appointed by Bihar Mining Corporation, but no enquiry can be made and no order can be passed against Bihar Mining Corporation, because they are not a party.

5. 1, therefore, find that there was no employer employee relationship between the management of Tisra Colliery of Messrs Diamond Coal Company Limited and the affected

workman, Mithu Singh and, as such no relief can be granted to him. The award is made accordingly and submitted under S. 15 of the Industrial Disputes Act, 1947.

N. VENKATA RAO, Presiding Officer.

New Delhi, the 11th December, 1972

S.O. 5279.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers its relation to the management of Bhaladih Sand Line of Messrs Equitable Coal Company Limited, Post Office Dishergarh, District Burdwan and their workmen, which was received by the Central Government on the 5th December, 1972.

[No. L-19012/137/71-LRII.]

KARNAIL SINGH, Under Secy.
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 125 of 1971

Parties :

Employers in relation to the management of Bhaladih Sand Line of Messrs Equitable Coal Company Limited.

AND

Their workmen.

Present :

Sri S. N. Bagchi.....Presiding Officer.

Appearances :

On behalf of Employers

Sri H. D. Banerjee, Personnel Assistant.

On behalf of Workmen

Sri S. K. Chakrabarty, Joint Secretary of the Union.

State : West Bengal. Industry : Coal Mine.

AWARD

By Order No. L/1912/137/71-LR. II dated 10th December, 1971, the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment), referred the following industrial dispute existing between the employers in relation to the management of Bhaladih Sand Line of Messrs. Equitable Coal Company Limited, P.O. Dishergarh, District Burdwan and their workmen, to this Tribunal, for adjudication, namely :

"Whether the action of the management of Bhaladih Sand Line of Messrs Equitable Coal Company limited Post Office Dishergarh, District Burdwan in laying off its workmen on the 29th April, 1971, is justified? If not to what relief are the workmen concerned entitled?"

2. Both the parties have entered into a compromise which is moved by both the parties. I have considered the compromise which, I find, contains terms which are beneficial to the interest of the workmen, and are just and fair.

3. I accordingly record the compromise and render an award in terms of the compromise petition which shall form part of the award.

This is my award.

S. N. BAGCHI, Presiding Officer.

The November, 28, 1972

BEFORE THE PRESIDING OFFICER,
CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
20, BRITISH INDIAN STREET, 1ST FLOOR,
CALCUTTA-1.

Reference No. 125 of 1971:

Parties :

Employers in relation to the Management of Bhaladih Sand Line of Equitable Coal Company Limited,

AND

Their Workmen.

The humble joint petition of the parties above named —
Most respectfully sheweth —

1. That without prejudice to the merits of their respective cases the parties have compromised the dispute out of which the instant reference arises on the following terms :—

(a) That the Management by way of an ex-gratia payment, however, will pay a lump sum amount of Rs. 460.00 (Rupees Four Hundred and Sixty only) to the Union for being distributed amongst the workmen laid off within 15 days from the date of this compromise.

(b) That the parties shall bear their own costs of this Reference.

2. That the terms of compromise are just, fair and beneficial to the workmen.

In the circumstances the parties pray that the Hon'ble Tribunal may be pleased to pass an Award in terms of the above compromise, treating this application as a part of the Award.

And for this act of kindness the petitioners shall ever pray.
Filed on behalf

of the Workmen :

Filed on behalf

H. D. CHATTORAJ, N. R. MITRA, Chief Mining Engineer

S. K. CHAKRAVARTY, Joint Secy.

Witness :—

D. D. MITRA, Organising Secy.

Witness :—

H. D. BANERJEE, Personnel Assistant,

The 20th November, 1972.

New, Delhi, the 11th December, 1972

S.O. 5280.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Real Kajora Colliery, Post Office Kajoramgram, District Burdwan and their workmen, which was received by the Central Government on the 6th December, 1972.

[No. L-19012/59/71-LRII.]
KARNAIL SINGH, Under Secy.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL
AT CALCUTTA

Reference No. 130 of 1971

Parties: Employers in relation to the management of Real Kajora Colliery,

AND

Their workmen

Present:

Sri S. N. Bagchi

Presiding Officer.

Appearances:

On behalf of Employers

Absent

On behalf of Workmen

Absent

State: West Bengal.

Industry: Coal Mine.

AWARD

By Order No. L/1912/59/71-LRII, dated 24th December, 1971, the Government of India, in the Ministry of Labour and Rehabilitation, Department of Labour and Employment, referred the following dispute existing between the employers in relation to the management of Real Kajora

Colliery and their workmen, to this tribunal for adjudication, namely:—

"Whether the action of the management of Real Kajora Colliery, Post Office Kajoragram, District Burdwan in refusing the employment to Sarvashri Sheomurat Harijan and Kaleswar Harijan, Loaders is in accordance with the provisions of clauses b(iii) and b(iv) of the Award of the Central Government Industrial Tribunal, Calcutta, in Reference Number 35 of 1970, and if not to what relief are the workmen entitled to?"

2. Notices were issued upon the parties on 29-12-1971 calling upon them to file their respective statement of case. The union on behalf of the workmen filed a statement of case on 24-10-1972 which was accepted after condoning the delay. The employers did not file any written statement. On 27-10-1972 which was the date for settling a date of hearing learned lawyers for both the sides were present and this day was fixed for hearing of the case. But, to-day nobody appears either on behalf of the management or on behalf of the workmen. In the circumstance state above, it is presumed that there is no dispute at present existing between the parties and as such a 'no dispute' award is rendered in the matter.

This is my award.

S. N. BAGCHI, Presiding Officer.

Dated, November 30, 1972.

New Delhi, the 12th December, 1972

S.O. 5281.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Jabalpur in the industrial dispute between the employers in relation to the Food Corporation of India and their workmen, which was received by the Central Government on the 8th December, 1972.

[No. L-42012/17/71/LRIII]

**CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-
LABOUR COURT, JABALPUR (CAMP AT ALLAHABAD)**

Allahabad, the 23rd November, 1972

Present :

MR. JUSTICE S. N. KATJU Presiding Officer.

Case No. CGIT/LC(R)(37)/1972

(Notification No. L-42012/17/71/LRIII dated 9th September, 1971 and subsequent Notification transferring the case to this Tribunal-cum-Labour Court Jabalpur, No. 12025/34/72/LRIII dated October 6, 1972).

Parties:

Employers in relation to the Food Corporation of India and their workmen represented through Sri N.C. Shukla.

Appearances:

For Employers Sri U. C. Varandani
For workmen Sri N. C. Shukla.

Industry: Food Corporation **District:** Lucknow (U.P.)
AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act 1947. The question referred to me is:—

"Whether the action of the management of Food Corporation of India in terminating the services of the six workmen in question was justified?"

Admittedly the six workmen viz. Kaushal Kishore Dubey, Bechu Saran Pandey, Sri Krishna, Ram Raj, Becha Lal and Sushil Kumar Agnihotri were appointed by the Food Corporation of India as Messengers on work-charge basis on the pay of Rs. 100/- p.m. and posted at its Sitapur Depot in July, 1968. Their services were terminated in May, 1969 as

they were no longer required. They were again appointed as Messengers on ad hoc basis in June, 1969. Their services were again terminated in October, 1969 on the ground that they were no longer required. It appears that the workmen took some proceedings before the Asstt. Labour Commissioner (Central) at Kanpur. The said proceedings were unsuccessful and thereafter the workmen raised the present dispute which has been referred to me. Sushil Kumar in his evidence stated that the termination of his service as also that of the other workmen in October, 1969 was due to the grievance of the workmen against Sri R. A. Singh, Depot Manager. It is stated that Sri Singh wanted them to do private work at his house but he and the other five workmen refused to do so. This has been denied by Sri U. C. Varandani in his deposition before me. Sri Varandani, however, admitted that Sushil Kumar Agnihotri, Ram Raj, Sri Krishna, Bechu Saran Pandey, Becha Lal and Kaushal Kishore Dubey were suspected to have stolen grain bags from the Corporation's Godown during duty hours and they had been questioned and were also charge-sheeted. He, however, admitted that it was likely that the services of the workmen were terminated on the ground that they were involved in the aforesaid incident of theft. There is, however, nothing to indicate on the record that while dispensing with the services of the workmen any stigma was attached on them. It has been contended on behalf of the Corporation that the six workmen were appointed purely on an ad hoc basis and their services could be terminated when they were no longer required. Sri Varandani has referred to the terms of the appointment of the workmen and has stated that since they had been appointed only on an ad hoc basis their services could be dispensed with at the will of the employer and this was fully in accordance with terms of their employment. Admittedly, orders were again issued on 3-9-1971 for re-employment of the aforesaid six workmen "as a special case" as messengers in the regular pay scale of Rs. 80-2-100.

After the award had been dictated, but before it was signed, Sri N. C. Shukla made an application that he should be heard. I allowed him to argue the case on behalf of the workmen. He argued the case and contended that the workmen had worked for 240 days and therefore it should be taken that they worked for an year and therefore their services could not be terminated. It is clear that initially the services were terminated after 10 1/2 months. Under these circumstances, it cannot be said that they had worked for an year.

Taking the entire circumstances of the case under consideration, my answer to the reference is that the action of the management of Food Corporation of India in terminating the services of Saravashri Kaushal Kishore Dubey, Bechu Saran Pandey, Sri Krishna, Ram Raj, Becha Lal and Sushil Kumar Agnihotri was justified. I answer the reference accordingly. The parties will bear their own costs.

S. N. KATJU, Presiding Officer.

New Delhi, the 14th November, 1972

ORDER

S.O. 5282.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of East Angarpatra Colliery, under Messrs. Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

AND WHEREAS the Central Government considers it desirable to refer the said dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

"Whether the claim of the Workman Shri Gafur Mia, that the management of East Angarpatra Colliery of Messrs. Bharat Coking Coal Limited, Post Office Katrasgarh, District Dhanbad, stopped him from work as Cap Lamp Mistry with effect from the 3rd November, 1971, is justified? If so, to what relief is the workman entitled?"

[No. L/2012/65/72-LRIII]

नई दिल्ली, 14 नवम्बर, 1972

आवृत्ति

का. आ. 5282.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स भारत कॉकिंग कोल लिमिटेड के अधीन इस्ट अंगारपाथरा कॉलियरी, डाकघर कतरासगढ़, जिला धनबाद के प्रबन्ध तंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (संख्या 2) धनबाद को न्यायनिर्णयन के लिए निर्दिष्ट करती है ।

अनुसूची

“क्या कर्मकार, श्री गफूर मियां क यह दावा, कि मैसर्स भारत कॉकिंग कोल लिमिटेड की इस्ट अंगारपाथरा कॉलियरी डाकघर कतरासगढ़, जिला धनबाद के प्रबन्ध तंत्र ने उसे 3 नवम्बर, 1971 से कंप लेप्प मिस्त्री के रूप में काम करने से रोक दिया था, न्यायोचित है ? यदि हाँ, तो कर्मकार किस अनुतोष का हकदार है ?”

[सं. एल/2012/65/72-स्त. आर.-2]

New Delhi, the 18th November, 1972

ORDER

S.O. 5283.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Manager, Lower Kenda Colliery, Post Office Kajoragram, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

AND WHEREAS the Central Government considers it desirable to refer the said dispute for adjudication;

NOW, THEREFORE, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act;

SCHEDULE

“Whether the management of Lower Kenda Colliery (The Khas Kenda Colliery Private Limited), Post Office Kajoragram, District Burdwan are justified in stopping the work of Shri Subodh Kumar Mukherjee, Pump Khalasi with effect from the 4th August, 1972, if not, to what relief is the workman entitled?”

[No. L/19012/93/72-LRII]

KARNAIL SINGH, Under Secy.

नई दिल्ली, 18 नवम्बर, 1972

आवृत्ति

का. आ. 5283.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैनेजर, लोअर केंदा कॉलियरी, डाकघर काजोरा ग्राम, जिला बर्दवान के प्रबंध-तंत्र से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्दिष्ट करती है ।

अनुसूची

“क्या लोअर केंदा कॉलियरी (दी खास केंदा कॉलियरी प्राईवेट लिमिटेड), डाकघर काजोराग्राम, जिला बर्दवान के प्रबन्ध तंत्र द्वारा श्री सुबोध कुमार मुखर्जी, पम्प खलासी के कार्य को 4 अगस्त, 1972 से रोकना न्यायोचित है ; यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है ?”

[सं. एल/19012/93/72-स्त. आर.-2.]

करनैल सिंह, अवर सचिव ।

New Delhi, the November, 1972

S.O. 5284.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour & Employment) No. S.O. 5314 dated the 12th November, 1971 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Kerala in which the provision of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiring of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

SCHEDULE

Sl. No.	Name of District	Name of area	Name of the factory
(1)	(2)	(3)	(4)
1.	Trichur	Choondal	St. Joseph's Tile Works.
2.	Trivandrum	Pangappara	Metropolitan Instruments Limited.

[S-38017/68/72-HI]

नई दिल्ली, नवम्बर, 1972

का० प्रा० 5284.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-क द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० प्रा० 5314, तारीख 12 नवम्बर, 1971 के क्रम में केन्द्रीय सरकार इससे उपाबद्ध अनुसूची के स्तंभ (4) में विनिर्दिष्ट

कारखाने को, उक्त अनुसूची के स्तंभ (3) में विनिर्दिष्ट केवल राज्य के ऐसे क्षेत्रों में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त नहीं हैं, व्यवस्था को ध्यान में रखते हुए, उक्त कारखानों को, उक्त अधिनियम के अध्याय 5 के अधीन उद्ग्रहणीय नियोजकों के विशेष अधिदाय के संदाय से, उक्त अधिसूचना में विनिर्दिष्ट अधिधिक के प्रवृत्त की तारीख से 1 वर्ष की और अधिधिक के लिए या तब तक के लिए जब तक उक्त अधिनियम के अध्याय 5 के उपबन्ध उन क्षेत्रों में प्रवृत्त नहीं हो जाते, जो भी पहले हो, एतद्वारा छूट देती है।

अनुसूची

क्रम सं०	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4)
1. त्रिवार	चूड़ल	सेन्ट जोसेफ टाइल वर्कस।	
2. त्रिवेन्द्रम	पन्नापारा	मेट्रोपोलिटन इन्स्ट्रुमेंट्स लिमिटेड।	

[एम्. 38017/68/72-एच भाई]

New Delhi, the 14th December, 1972

S.O. 5285.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Tamil Thenral Press 11, 5A Godown St. Virudhunagar Ramnad District have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of February, 1972.

[No. S. 35019(23)/72-PF. II]

गई दिल्ली, 14 दिसम्बर, 1972

का. आ. 5285.—यत्तः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स तीमल थेनराल प्रेस 11, 5ए गोदाम स्ट्रीट, विरुधुनगर रामनद जिला नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 के फरवरी के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एम्. 35019(23)/72-पी. एफ. 2]

S.O. 5286.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Purchasing Services (Private) Ltd., 26/2—Spencer Road, Bangalore-5 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

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Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1972.

[No. S. 35019 (56)/72-PF. II (i)]

का. आ. 5286.—यत्तः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स परचीजंग सर्विसेज (प्राइवेट) लि., 26/2-स्पेंसर रोड, बंगलोर-5 नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 के मार्च के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस.-35019(56)/72-पी. एफ. 2(1)]

S.O. 5287.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st March, 1972, the establishment known as Messrs Purchasing Services (Private) Ltd., Bangalore-5, for the purposes of the said proviso.

[No. S. 35019 (56)/72-PF. II (ii)]

का. आ. 5287.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा मैसर्स परचीजंग सर्विसेज (प्राइवेट) लि., 26/2, बंगलोर-5, नामक स्थापन को 1 मार्च 1972 से उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं. एस.-35019(56)/72-पी. एफ. 2(2)]

S.O. 5288.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Popular Prakashan Private Limited, 35-C Tardeo Road, Bombay-34 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1971.

[No. S. 35018 (78)/72-PF. II]

का. आ. 5288.—यत्तः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स पोपुलर प्रकाशन प्राइवेट लिमिटेड, 35-सी तारदेव रोड, मुम्बई-34, नामक स्थापन से सम्बन्धित नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1971 के दिसम्बर के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. 35018(78)/72-पी. एफ. 2]

S.O. 5289.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Project Service Organisation C/O R. L. Dalal and Company 86 Dr. Annie Besant Road, Worli Naka, Bombay-18 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of June, 1971.

[No. S. 35018/84/72-PF. II]

का. आ. 5289.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स प्रोजेक्ट सर्विस ओर्गनाइजेशन द्वारा आर. एल. दलाल एण्ड कम्पनी 86, डा. एनी बेसन्ट रोड, वलीनाका, बम्बई-18, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1971 के जून के 30वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(84)/72-पी. एफ. 2]

S.O. 5290.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Brihanmumbai Mathadi Kamgar Sahakari Patpedhi Ltd., (Regd.), Shroff Bhuvan, 4th Floor, Room No. 41, P. D. 'Mello Road, Carnac Bandur, Bombay-1 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1971.

[No. S. 35018 (86)/72-PF. II]

का. आ. 5290.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स ब्रिहन्मम्बई माथाडी कामगार सहकारी पतपेढी लिमिटेड (रजि.) श्रोफ भवन, चौथी मंजिल, कमरा नं. 41, पी डिमेलो रोड, कर्नाकबंदर, बम्बई-1, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1971 के दिसम्बर के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(86)/72-पी. एफ. 2]

S.O. 5291.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Maharashtra Rajya Mathadi Transport and General Kamgar Union (Regd.) Shroff Bhavan, Room No. 41, 4th Floor, P. D. 'Mello Road, Carnac Bandur, Bombay-1 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1971.

[No. S. 35018 (87)/72-PF. II]

का. आ. 5291.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स महाराष्ट्र राज्य माथाडी ट्रांसपोर्ट एंड जनरल कामगार यूनियन (रजि.) श्रोफ भवन, कमरा नं. 41, चौथी मंजिल, पी. डिमेलो रोड, कर्नाक बन्दर, बम्बई नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1971 के दिसम्बर के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(87)/72-पी. एफ. 2]

S.O. 5292.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Maharashtra Textiles and Industries Company 39/43, Abdul Rehman Street, 2nd Floor, Bombay-3 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of April, 1972.

[No. S. 35018/88/72-PF. II]

का. आ. 5292.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स महाराष्ट्र टेक्सटाइल एण्ड इण्डस्ट्रीज कम्पनी, 39/43, अब्दुल रहमान स्ट्रीट, दूसरी मंजिल, मुम्बई-3 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1972 के अप्रैल के 30वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(88)/72-पी. एफ. 2]

S.O. 5293.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Mistair Home Products, 1076, Dr. E. Moses Road, Bombay-18 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1971.

[No. S. 35018/90/72-PF. II (i)]

का. आ. 5293.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स मिसटेयर होम प्रोडक्ट्स, 1076, डा. ई. मोसेस रोड, मुम्बई-18 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1971 के मार्च के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(90)/72-पी. एफ. 2 (1)]

S.O. 5294.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 31st March, 1971, the establishment known as Messrs Metalore Private Limited, 1076, Dr. Moses Road, Worli, Bombay-18 for the purposes of the said proviso.

[No. S. 35018 (89)/72-PF. II (ii)]

का. आ. 5294.—कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्द्वारा मॅसर्स मेटालोर प्राइवेट लिमिटेड, 1076 डा. ई. मोसेस रोड, वर्ली, मुम्बई-18, नामक स्थापन को 31 मार्च, 1971 से उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं. एस-35018(89)/72-पी. एफ. 2(2)]

S.O. 5295.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Metalore Private Limited, 1076, Dr. E. Moses Road, Worli, Bombay-18 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of March, 1971.

[No. S. 35018 (89)/72-PF. II (i)]

का. आ. 5295.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स मेटालोर लिमिटेड, 1076, डा. ई. मोसेस रोड, वर्ली, मुम्बई-18 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1971 के मार्च के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(89)/72-पी. एफ. 2 (1)]

S.O. 5296.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 31st March, 1971, the establishment known as Messrs Mistair Home Products, 1076, Dr. E. Moses Road, Bombay-18 for the purposes of the said proviso.

[No. S. 35018/90/72-PF. II (ii)]

का. आ. 5296.—केन्द्रीय सरकार, कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952, (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 31 मार्च, 1971 से मॅसर्स मिसटेयर होम प्रोडक्ट्स, 1076, डा. ई. मोसेस रोड, मुम्बई-18 नामक स्थापन को एतद्द्वारा उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं. एस. 35018(90)/72-पी. एफ. 2(2)]

S.O. 5297.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Polymer Finishes, Tokarsi Jivraj Wadi, King Edward Road, Seweree Bombay have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1972.

[No. S. 35018/91/72-PF. III]

का. आ. 5297.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स पॉलीमर फिनिशज, टोकासी जीवराज वाडी, किंग एडवर्ड रोड, सेवरी, मुम्बई नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए।

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1972 के मार्च के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(91)/72-पी. एफ. (2)]

S.O. 5298.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Raghuram Textiles H. O. 238 Mount Poonamalee Road, Nandambakkam Madras. 89 including its branch at Kangayam Road Chennimalai, Via Erode. have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1972.

[No. S. 35019 (140/72-PF. II)]

का. आ. 5298.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स रघुराम टेक्सटाइल्स मुख्य कार्यालय 238 माउन्ट पूनामल्ली रोड, नन्दम्बक्कम, मद्रास-89 जिसके अन्तर्गत इसकी कंगयम रोड चेंनीमलाई, बरास्ता एरोड की शाखा भी है; नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 के अगस्त, के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35019(140)/72-पी. एफ. 2]

S.O. 5299.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs D. Senthivel Aluminium Spinning, Nettu, Street, Dindigul (Madurai District) Tamil Nadu, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of August, 1972.

[No. S. 35019 (144)/72-PF. II]

का. आ. 5299.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स डी. सेन्थिवेल एल्यूमीनियम स्पिनिंग, नेतू स्ट्रीट, डिन्डीगुल (मदुराई जिला) तामिल नाडु, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 के अगस्त के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस. 35019(144)/72-पी एफ 2]

S.O. 5300.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Medicaex, Behind State Bank of India, Chandni Chowk, Delhi-6 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of April, 1972.

[No. S. 35019/145/72-PF. II(i)]

का. आ. 5300.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स मीडिकालेक्स, भारतीय स्टेट बैंक के पीछे, चांदनी चौक, दिल्ली-6, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 के अप्रैल के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35019(145)/72-पी एफ 2(1)]

S.O. 5301.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st April, 1972 the establishment known as Messrs Medicaex, Behind State Bank of India, Chandni Chowk, Delhi-6 for the purposes of the said proviso.

[No. S. 35019/145/72-PF. II (ii)]

का. आ. 5301.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संबंध विषय में आवश्यक जांच करने के पश्चात् प्रथम अप्रैल, 1972 से मीडिकालेक्स, भारतीय स्टेट बैंक के पीछे, चांदनी चौक, दिल्ली-6, नामक स्थापन को एतद्वारा उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं. एस-35019(145)/72-पी एफ 2(2)]

S.O. 5302.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Bitumen Products Private Limited, B-7 and B-8 Ambattur Industrial Estate, Ambattur, Madras-58 have agreed that provisions of the Employees' Provident Funds and Family Pension Fund Act, 1972 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of March, 1970.

[No. 8/149/68-PF. II]

का.आ. 5302.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स लायड विट्मैन प्रोडक्ट्स प्राइवेट लिमिटेड, बी-7 और बी-8 अम्बाटूर औद्योगिक संघदा, अम्बाटूर, मद्रास-58, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1970 के मार्च के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं. 8/149/68-पी एफ 2]

S.O. 5303.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs The Delhi State Bharat Scouts and Guides, 113A Darya Ganj Delhi-6 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of June, 1971.

[No. S. 35019 (150)/72-PF. II]

का. आ. 5303.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स डी दिल्ली स्टेट भारत स्काउट्स एंड गाइड्स, 113ए वीर्यागंज दिल्ली-6, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1971 के जून के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं. एस-35019/(150)/72-पी एफ 2]

S.O. 5304.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Seethalakshmi Hall Whole Sale, Chickpet, Bangalore-2 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1972.

[No. S. 35019 (151)/72-PF. II]

का. आ. 5304.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स सीतालक्ष्मी हाल होल सेल, चिकपेट, बंगलौर-2, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1972 की जुलाई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी ।

[सं. एस-35019/(151)/72-पी एफ 2]

New Delhi, 15th December, 1972

S.O. 5305.—In exercise of the powers conferred by section 87 of the Employees' State Insurance Act, 1948 (34 of 1948) and in continuation of the notification of the Government of India, in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 5328 dated the 12th November, 1971, the Central Government hereby exempts the National Coal Development Corporation Limited Press at Ranchi from all the provisions of the said Act for a further period of one year with effect from the 26th October, 1972 upto and inclusive of 25th October, 1973.

[No. 601/53/70-HI-Vol. II]

का. आ. 5305.—कर्मचारी राज्यबीमा अधिनियम, 1948 (1948 का 34) की धारा 87 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम और पुनर्वासि मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं. का. आ. 5328 तारीख 12 नवम्बर, 1971 के क्रम में केन्द्रीय सरकार एतद्वारा राष्ट्रीय कोयला विकास निगम लिमिटेड के रांची स्थित भूतणालय की उक्त अधिनियम के सभी उपबंधों 26 अक्टूबर, 1972 से 25 अक्टूबर, 1973 तक, यह दिन भी सम्मिलित करके, एक और वर्ष की अवधि के लिए छूट देती है ।

[का. सं. 601/(53)/70-एच.आई. खण्ड 2]

S.O. 5306.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Nubind Workers, 37-A Goregaonkar Wadi H. G. Road, Bombay-7 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of July, 1971.

[No. S. 35018/54/72-PF. II]

का. आ. 5306.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स न्यू वाइंड वर्क्स, 37-ए गोरगावांकर वाडी एच. जी. रोड, मुम्बई-7 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिए ;

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार उक्त अधिनियम के उपबंध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1971 की जुलाई के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस.-35018(54)/72-पी. एफ. 2]

S.O. 5307.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 376 dated the 20th December, 1971 the Central Government having regard to the location of the Police Transport Workshop, Hyderabad in an area in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said workshop from the payment of the employer's special contribution leviable under Chapter VA of the said Act for a further period of one year with effect from the 14th November, 1972 upto and inclusive of the 13th November, 1973.

[No. 601/56/70-HI]

का. आ. 5307.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-व द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए भारत सरकार के श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं. का. आ. 376 तारीख 20 दिसम्बर, 1971 के क्रम में केन्द्रीय सरकार पुलिस ट्रांसपोर्ट वर्कशॉप, हैदराबाद की ऐसे क्षेत्र में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त हैं, अवस्थिति को ध्यान में रखते हुए उक्त वर्कशॉप को उक्त अधिनियम के अध्याय 5-क के अधीन उद्ग्रहणीय नियोजक के विशेष अभिदाय के संदाय से 14 नवम्बर, 1972 से 13 नवम्बर, 1973 तक, जिसमें यह दिन भी मीगमिलत हैं, एक वर्ष की अवधि के लिए एतद्वारा छूट देती हैं।

[सं. फा. 601(56)/70-स्व. आई]

S.O. 5308.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the Ministry of Labour and Rehabilitation (Department of Labour and Employment) No. S.O. 2969 dated the 17th July, 1971 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule here-to annexed in areas specified in column (3) of the said Schedule in the State of Kerala in which the provisions of Chapters IV and V of the said Act are not in force, hereby exempts the said factories from the payment of employer's special contribution leviable under chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification or until the enforcement of provisions of Chapter V of the said Act in those areas, whichever is earlier.

SCHEDULE

Sl. No.	Name of the District.	Name of the area.	Name of the factory
(1)	(2)	(3)	(4)
1.	Kottayam	Changanacherry	Messrs Tenzing Timber Corporation.
2.	Palghat	Mankarai	Messrs Omgara Match Industries (Via) Lakkidi.
3.	Trichur	Pottah	Messrs J & B Industries Valli Kunnam Road, Pottah Post Office, Chalakudy.

[No. S-38017/68/72-HI]

का० आ० 5308.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-व द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का० आ० 2969, तारीख 17 जुलाई, 1971 के क्रम में केन्द्रीय सरकार इसमें उपाबद्ध अनुसूची के स्तम्भ (4) में विनिर्दिष्ट कारखाने की,

उक्त अनुसूची के स्तम्भ (3) में विनिर्दिष्ट केरल राज्य के ऐसे क्षेत्रों में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रवृत्त नहीं हैं, अवस्थिति को ध्यान में रखते हुए, उक्त कारखानों को, उक्त अधिनियम के अध्याय 5-क के अधीन उद्ग्रहणीय नियोजकों के विशेष अभिदाय के संदाय से, उक्त अधिसूचना में विनिर्दिष्ट अवधि के अवसान की तारीख से एक वर्ष की और अवधि के लिए या तब तक के लिए जब तक उक्त अधिनियम के अध्याय 5 के उपबन्ध उन क्षेत्रों में प्रवृत्त हो जाते, जो भी पहले हो, एतद्वारा छूट देती हैं।

अनुसूची

क्रम सं०	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
(1)	(2)	(3)	(4)
1.	कोट्टायम	चंगनाचेरि	मैसर्स तेन्जिंग टिम्बर कार-पोरेजन्।
2.	पालघट	मनकराई	मैसर्स ओमगारा मैच इण्डस्ट्रीज (भरास्ता), लक्कीडि।
3.	त्रिषुर	पोट्टाह	मैसर्स जे० एण्ड बी० इन्डस्ट्रीज वालिकुन्तम रोड, पोट्टह डाकघर चलाकुडी।

[सं० एस-38017/68/72-एच आई]

S. O. 5309.—In exercise of the powers conferred by section 73F of the Employees' State Insurance Act, 1948 (34 of 1948), and in continuation of the notification of the Government of India in the late Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No. S.O. 1537 dated the 27th March, 1971 the Central Government, having regard to the location of the factories specified in column (4) of the Schedule hereto annexed in areas specified in column (3) of the said Schedule in the State of Kerala in which the provisions of Chapters IV and V of the said Act are in force, hereby exempts the said factories from the Payment of employers' special contribution leviable under Chapter VA of the said Act for a further period of one year from the date of expiry of the period specified in the said notification upto and inclusive of the 9th April, 1973.

SCHEDULE

Sl. No.	Name of District	Name of Area	Name of the factory
(1)	(2)	(3)	(4)
1.	Cannanore	Balla	Messrs Kallathra Wood Industries
2.	Kottayam	Perumbaicad	Messrs St. Thomas Timber Department.
		Changanacherry	Messrs Victory Match factory.
3.	Kozhikode	Azhiyur	Messrs FACT Regional Mixing Centre
4.	Malappuram	Malappuram	Messrs 66 K.V. Sub-Station, K.S.E. Board.

[No. S-38017(68)/72-HI]

का० आ० 5309.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा 73-व द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और भारत सरकार के श्रम और रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० 1537, तारीख 27 मार्च, 1971 के क्रम में केन्द्रीय सरकार इसमें उपाबद्ध अनुसूची के स्तम्भ (4) में

विनिर्दिष्ट कारखाने का, उक्त अनुसूची के स्तम्भ (3) में विनिर्दिष्ट केरल राज्य के ऐसे क्षेत्रों में, जिसमें उक्त अधिनियम के अध्याय 4 और 5 के उपबन्ध प्रयुक्त हैं, अवस्थिति का ध्यान में रखते हुए, उक्त कारखानों को, उक्त अधिनियम के अध्याय 5-क के अधीन उद्घाटनीय नियंत्रणों के विशेष अधिवाय के संदाय में, उक्त अधिसूचना में विनिर्दिष्ट अधिधि के अवधान की तारीख में 9 अप्रैल, 1973 तक, जिसमें यह तारीख भी सम्मिलित है एक वर्ष की और अधिधि के लिए एम्बेडर द्वारा छूट देनी है।

अनुसूची

क्रम सं०	जिले का नाम	क्षेत्र का नाम	कारखाने का नाम
1	2	3	4
1. कन्नानूर	कन्नूर	मैसर्स कल्लाथा बुट्ट इन्डस्ट्रीज।	
2. कोट्टायम	पेरम्बावाडकड	मैसर्स सेन्ट थोमस टिम्बर डिपार्टमेंट।	
	चंगननाथेरि	मैसर्स विकट्टी मैच फैक्ट्री	
3. कोझिकोटे	असिथुर	मैसर्स पैन्ट रिजिनल प्रिक्सिंग सेन्टर।	
4. मालापुरम	मालापुरम	मैसर्स 66 के० बी० मन्न-स्टेशन, के० एम० ई० बोड।	

[सं० एम-38017(68)/72-एच आई]

S.O. 5310.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs. Marvel Private Limited, B-9 Devkaran Mansion, Samaldas Gandhi Marg, Pathakwadi, Princess Street, Bombay-2 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Now, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force, on the thirty-first day of December, 1971.

[No. S. 35018/79/72-PF. II (i)]

का. आ. 5310.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स मार्वल प्राइवेट लिमिटेड, बी-9, देवकरण मैनसन, रामलदास गांधी मार्ग, पटखवाडी, प्रिन्सेज स्ट्रीट-2 नामक स्थापन से सम्बद्ध निर्यातक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1971 के दिसम्बर के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35018(79)/72-पी. एफ. 2(1)]

S.O. 5311.—In exercise of the powers conferred by the first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry

into the matter, hereby specifies with effect from the 31st December, 1971, the establishment known as Messrs Marvel Private Limited, B-9 Devkaran Mansion, Samaldas Gandhi Marg, Pathakwadi, Princess Street, Bombay-2 for the purposes of the said proviso.

[No. S. 35018/79/72-PF. II(ii)]

का. आ. 5311.—कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा मैसर्स मार्वल प्राइवेट लिमिटेड, बी-9 देवकरण मैनसन, रामलदास गांधी स्थापन को 31 दिसम्बर, 1971 से उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं. एम. 35018(79)/72-पी. एफ. 2(2)]

S.O. 5312.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Sikka Sikka Engineers Private Limited, D-Shiv Sagar Estate Dr. Annie Besant Road Worli, Bombay-18 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

Not, therefore, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1972.

[No. S. 35018/80/72-PF. II(i)]

का. आ. 5312.—यतः केंद्रीय सरकार को यह प्रतीत होता है कि मैसर्स सिक्का इंजीनियर्स प्राइवेट लिमिटेड, डी-शिव सागर एस्टेट, डा. एनी बेसेंट रोड, वर्ली मुम्बई-18 नामक स्थापन से सम्बद्ध निर्यातक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 के मार्च के 31 वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एम-35018(80)/72-पी. एफ. 2(1)]

S.O. 5313.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1972), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 31st March, 1972, the establishment known as Messrs Sikka, Sikka Engineers Private Limited D-Shiv Sagar Estate, Dr. Annie Besant Road, Worli, Bombay-18 for the purposes of the said proviso.

[No. S. 35018(80)/72-PF. II (ii)]

का. आ. 5313.—कर्मचारी भविष्य निधि और कटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केंद्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा मैसर्स सिक्का, सिक्का इंजीनियर्स प्राइवेट लिमिटेड डी-शिव सागर एस्टेट, डा. एनी बेसेंट रोड वर्ली मुम्बई-18 नामक स्थापन को 31 मार्च, 1972 से उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं. एम. 35018(80)/72-पी. एफ. 2(2)]

S.O. 5314.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government after making necessary enquiry into the matter hereby specifies with effect from the 29th February, 1972 the establishment known as Messrs Birla Kredda Kendra Restaurant Chowpatty Seaface, Bombay-7, for the purposes of the said proviso.

[No. S. 35018(81)/72-PF. II(ii)]

का.आ. 5314.—कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्द्वारा बिड़ला क्रीड़ा केंद्र रेस्टोरेंट चौपाटी सी फेस बम्बई-7 नामक स्थापन को 29 फरवरी, 1972 से उक्त परन्तुक के प्रयोजनों के लिए विनियमित करती है।

[सं. एस-35018(81)/72-पी. एफ. 2(2)]

S.O. 5315.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Birla Kredda Kendra Restaurant Chowpatty Seaface, Bombay-7, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment.

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on twenty-ninth day of February, 1972.

[No. S. 35018/81/72-PF. II(i)]

का.आ. 5315.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स बिड़ला क्रीड़ा केंद्र रेस्टोरेंट चौपाटी सी फेस बम्बई-7 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1972 के फरवरी के 29वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(81)/72-पी. एफ. 2 (1)]

S.O. 5316.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Industrial Engineering Works Dombivli, District Thana have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on twenty-ninth day of February, 1972.

[No. S. 35018/92/72-PF. II]

का.आ. 5316.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इंडीस्ट्रियल इंजीनियरिंग वर्क्स, डोमबिवली, जिला थाना नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1972 के फरवरी के 29वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस. 35018(92)/72-पी. एफ. 2]

S.O. 5317.—Whereas it appears to the Central Government that the employer and the majority of the employees in the establishment known as Messrs Inex Engine Valves Private Limited Plot No. 17-B Hadapsar Industrial Estate, Poona-13 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty-first day of December, 1970.

[No. S. 35018/93/72-PF. II(i)]

का.आ. 5317.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स आइनेक्स इंजिन वाल्व्स प्राइवेट लिमिटेड प्लॉट सं. 17-बी हदप्सर इंडीस्ट्रियल एस्टेट, पूना-13 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए,

अतः अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्द्वारा लागू करती है।

यह अधिसूचना 1970 के दिसम्बर के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(93)/72-पी. एफ. 2(1)]

S.O. 5318.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 31st December, 1970 the establishment known as Messrs Inex Engine Valves Private Limited, Plot No. 17-B Hadapsar Industrial Estate, Poona-13 for the purposes of the said proviso.

[No. S. 35018/93/72-PF. II(ii)]

का.आ. 5318.—केन्द्रीय सरकार कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, सम्बद्ध विषय में आवश्यक जांच करने के पश्चात् 31 दिसम्बर, 1970 से मैसर्स आइनेक्स वाल्व्स प्राइवेट लिमिटेड प्लॉट सं. 17-बी, हदप्सर इंडीस्ट्रियल एस्टेट, पूना-13 नामक स्थापन को एतद्द्वारा उक्त परन्तुक के प्रयोजनों के लिए विनियमित करती है।

[सं. एस-35018(93)/72-पी. एफ. 2(2)]

S.O. 5319.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs J. G. Moulds Private Limited, Plot No. 17-A Hadapsar Industrial Estate, Poona-13 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of December, 1970.

[No. S. 35018/94/72-PF. II(i) 4]

का.आ. 5319.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स जे. जी. मोल्ड्स प्राइवेट लिमिटेड, प्लॉट नं. 17 ए. हडप्सर इंडस्ट्रियल इस्टेट, पूना-13 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1970 के दिसम्बर के 31 वें दिन को प्रवृत्त हुई समझी जाएगी ।

[सं. एस-35018(94)/72-पी. एफ. 2(1).]

S.O. 5320.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 31st December, 1970 the establishment known as Messrs J. G. Moulds Private Limited No. 17-A Hadapsar Industrial Estate, Poona-13 for the purposes of the said proviso.

[No. S. 35018/94/72-PF. II(ii)]

का. आ. 5320.—कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार सम्बद्ध विषय में आवश्यक जांच कर लेने के पश्चात् 31 दिसम्बर, 1970 से मैसर्स जे. जी. मोल्ड्स प्राइवेट लिमिटेड नं. 17-ए हडप्सर इंडस्ट्रियल इस्टेट, पूना-13 नामक स्थापन को एतद्वारा उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है ।

[सं. एस-35018(94)/72-पी. एफ. 2(2).]

S.O. 5321.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs International Tractor Company of India Employees Cooperative Canteen Society Limited, Akurli Road, Kandivli, Bombay-67 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtieth day of June, 1969.

[No. S. 35018/95/72-PF. II]

का.आ. 5321.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स इंटरनेशनल ट्रैक्टर कंपनी आफ इंडिया एम्पलाइज कोऑपरेटिव कैंटीन सोसाइटी लिमिटेड, अकुरली रोड, कान्डीवली, बम्बई-67, नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये ;

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अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1969 के जून के 30वें दिन को प्रवृत्त हुई समझी जाएगी ।

[सं. एस-35018(95)/72-पी. एफ. 2]

S.O. 5322.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Amphetronix Limited, Plot No. 105, Bhosari Industrial Estate P.B. No. 1, Poona-26, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment ;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirtyfirst day of March, 1972.

[No. S. 35018/97/72-PF. II(i)]

का.आ. 5322.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मैसर्स एम्फेट्रोनिक्स लिमिटेड, प्लॉट नं. 105, भोसारी इंडस्ट्रियल एस्टेट पी. बी. नं. 1, पूना 26 नामक स्थापन से सम्बद्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबंध उक्त स्थापन को लागू किए जाने चाहिये ;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है ।

यह अधिसूचना 1972 के मार्च के 31वें दिन को प्रवृत्त हुई समझी जाएगी ।

[सं. एस-35018(97)/72-पी. एफ. 2(1)]

S.O. 5323.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 31st March, 1972 the establishment known as Messrs Amphetronix Limited, Plot No. 105, Bhosari Industrial Estate, P.B. No. 1, Poona-26 for the purposes of the said proviso.

[No. S. 35018/97/72-PF. II(ii)]

का. आ. 5323.—कर्मचारी भविष्य निधि और कटुस्व पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् 31 मार्च, 1972 से मैसर्स एम्फेट्रोनिक्स लिमिटेड प्लॉट नं. 105 भोसारी इंडस्ट्रियल इस्टेट, पी. बी. नं. 1, पूना-26 नामक स्थापन को एतद्वारा उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है ।

[सं. एस-35018(97)/72-पी. एफ. 2(2)]

S.O. 5324.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Phalnikar Enterprises 427/42 Poona Small Scale Industrial Co-operative Estate Limited, Gultekdi, Poona 9 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the thirty first day of March, 1972.

[No. S. 35018 (8)/9/72-PF. II]

का.आ. 5324.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स फालनिकर इण्टरप्राइजेज, 427/42 पूना स्माल स्केल इण्डस्ट्रीयल को-ऑपरेटिव एस्टेट लिमिटेड, गुलटेकडी, पूना-9 नामक स्थापन से सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 के मार्च के 31वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35018(98)/72-पी. एफ. 2.]

S.O. 5325.—Whereas it appears to the Central Government that the employer and the majority of employees in relation to the establishment known as Messrs Mysore Rubbers (P) Ltd., A-108/109, Industrial Estate, Rajajinagar, Bangalore-44, have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the twenty-ninth day of February, 1972.

[No. S. 35019(154)/72-PF. II(i)]

का.आ. 5325.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स मॅसूर रबर्स (प्रा.), लिमिटेड, ए-108/109, इंडस्ट्रीयल एस्टेट, राजाजी नगर, बंगलौर-44 नामक स्थापन से सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 के फरवरी के 29वें दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35019(154)/72-पी. एफ. 2(1).]

S.O. 5326.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 29th February, 1972 the establishment known as Messrs Mysore Rubbers (Private) Limited A 108/109 Industrial Estate, Rajajinagar, Bangalore-44 for the purposes of the said proviso.

[No. S. 35019 (154)/72-PF. II(ii)]

का. आ. 5326.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा मॅसर्स मॅसूर रबर्स (प्रा.) लिमिटेड, ए. 108/109 इंडस्ट्रीयल एस्टेट राजाजी नगर, बंगलौर-44 नामक स्थापन को 29 फरवरी, 1972 से उक्त परन्तुक के प्रयोजनों के लिए विनिर्दिष्ट करती है।

[सं. एस-35019(154)/72-पी. एफ. 2(2).]

S.O. 5327.—Whereas it appears to the Central Government that the employer and the majority of the employees in relation to the establishment known as Messrs Chamundi Enterprises, Hindustan Aeronautics, P.O. Bangalore-17 have agreed that the provisions of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), should be made applicable to the said establishment;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (4) of section 1 of the said Act, the Central Government hereby applies the provisions of the said Act to the said establishment.

This notification shall be deemed to have come into force on the first day of July, 1972.

[No. S. 35019 (159)/72-PF. II(i)]

का.आ. 5327.—यतः केन्द्रीय सरकार को यह प्रतीत होता है कि मॅसर्स चामुंडी एण्टरप्राइजेज, हिन्दुस्तान एरोनाटिक्स, हाकधर बंगलौर-17 नामक स्थापन से सम्बन्ध नियोजक और कर्मचारियों की बहुसंख्या इस बात पर सहमत हो गई है कि कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) के उपबन्ध उक्त स्थापन को लागू किए जाने चाहिए;

अतः, अब, उक्त अधिनियम की धारा 1 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार उक्त अधिनियम के उपबन्ध उक्त स्थापन को एतद्वारा लागू करती है।

यह अधिसूचना 1972 की जुलाई के प्रथम दिन को प्रवृत्त हुई समझी जाएगी।

[सं. एस-35019(159)/72-पी. एफ. 2(1).]

S.O. 5328.—In exercise of the powers conferred by first proviso to section 6 of the Employees' Provident Funds and Family Pension Fund Act, 1952 (19 of 1952), the Central Government, after making necessary enquiry into the matter, hereby specifies with effect from the 1st July, 1972 the establishment known as Messrs Chamundi Enterprises, Hindustan Aeronautics P.O. Bangalore-17 for the purposes of the said proviso.

[No. S. 35019(159)/72-PF. II(ii)]

DALJIT SINGH, Under Secy.

का. आ. 5328.—कर्मचारी भविष्य निधि और कुटुम्ब पेंशन निधि अधिनियम, 1952 (1952 का 19) की धारा 6 के प्रथम परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार इस विषय में आवश्यक जांच कर लेने के पश्चात् एतद्वारा मॅसर्स चामुंडी एण्टरप्राइजेज, हिन्दुस्तान एरोनाटिक्स, हाकधर,

बंगलौर-17 नामक स्थापन को प्रथम जुलाई, 1972 से उक्त परम्पुक्त के प्रयोजनों के लिए विनिर्दिष्ट करती है।

नई दिल्ली, 21 नवम्बर, 1972

[सं. एस-35019(159)/72-पी. एफ. 2(2).]

दलजीत सिंह, अवर सचिव।

New Delhi, the 21st November, 1972

ORDER

S.O. 5329.—WHEREAS the employers in relation to the management of Associated Cement Companies Limited, Jamul Cement Works Lime Stone Quarries, Post Office Jamul Works, District Durg (Madhya Pradesh) and there workmen represented by Samyukta Khadan Mazdoor Sangh, Jamul Quarry Branch, Nandini Road, Bhilai, District Durg (Madhya Pradesh) have jointly applied to the Central Government under sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), for reference of an Industrial dispute that exists between them to an Industrial Tribunal in respect of the matter set for in the said application and reproduced in the Schedule hereto annexed;

AND WHEREAS the Central Government is satisfied that the persons applying represent the majority of each party;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur, constituted under Section 7 A of the said Act.

SCHEDULE

- (1) Whether the demand of the workmen for payment of bonus @ 20 per cent of their basic salary/wages and D.A. for the accounting year 1970-71 is justified under the provisions of the Payment of Bonus Act? If not, to what quantum of bonus should be paid to them for the said accounting year 1970-71 under the said Act?
- (2) Whether the demand of the workmen employed in the Quarries for payment of Night Shift Allowance is justified? If so, to what relief are the concerned workmen entitled?

[No. L-29011(37)/72-LRIV]

S. S. SAHASRANAMAN, Under Secy.

आदेश

क्र.आ. 5329.—यतः एम्सोसिएटेड सीमेंट कंपनी लि. की जामुल सीमेंट वर्क्स लाईम स्टोन क्वाररीज, डाकघर जामुल वर्क्स, जिला दुर्ग (मध्य प्रदेश) के प्रबन्धतन्त्र से संबद्ध नियोजकों और उनके कर्मकारों ने, जिनका प्रतिनिधित्व सम्युक्ता खदान मजदूर संघ, जामुल क्वारी बान्च, नन्दिनी रोड, भिलाई, जिला दुर्ग (मध्य प्रदेश) करता है, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (2) के अधीन संयुक्त रूप से केन्द्रीय सरकार को आवेदन दिया है कि वह उनके बीच विद्यमान औद्योगिक विवाद को उक्त आवेदन में उपवीर्णित और उससे उपाबद्ध अनुसूची में उद्धृत विषयों के बारे में किसी औद्योगिक अधिकरण को निर्देशित करे।

और यतः केन्द्रीय सरकार का समाधान हो गया है कि आवेदन करने वाले व्यक्ति प्रत्येक पक्ष के बहुमत का प्रतिनिधित्व करते हैं,

अतः, अब औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (2) द्वारा प्रदत्त शक्तियाँ का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गीठित केन्द्रीय सरकार औद्योगिक अधिकरण जबलपुर को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

1. क्या 1970-71 लेखा वर्ष के लिए कर्मकारों का मूल वेतन/मजदूरी और महंगाई भत्ते पर 20 प्रतिशत की दर से बोनस भुगतान करने की उनकी मांग, बोनस भुगतान अधिनियम के उपबन्धों के अधीन न्यायोचित है? यदि नहीं, तो उक्त अधिनियम के अधीन उक्त लेखा वर्ष 1971-72 के लिए उन्हें बोनस की कितनी मात्रा दी जागी चाहिए?

2. क्या खदानों में नियाँजित कर्मकारों की रात्रि पारी भत्ते की मांग करना न्यायोचित है? यदि हाँ, तो सम्बन्धित कर्मकार किस अनुतोष के हकदार हैं?

[संख्या एल/29011(37)/72-एल आर-4.]

एस. एस. सहस्रनामन, अवर सचिव।

